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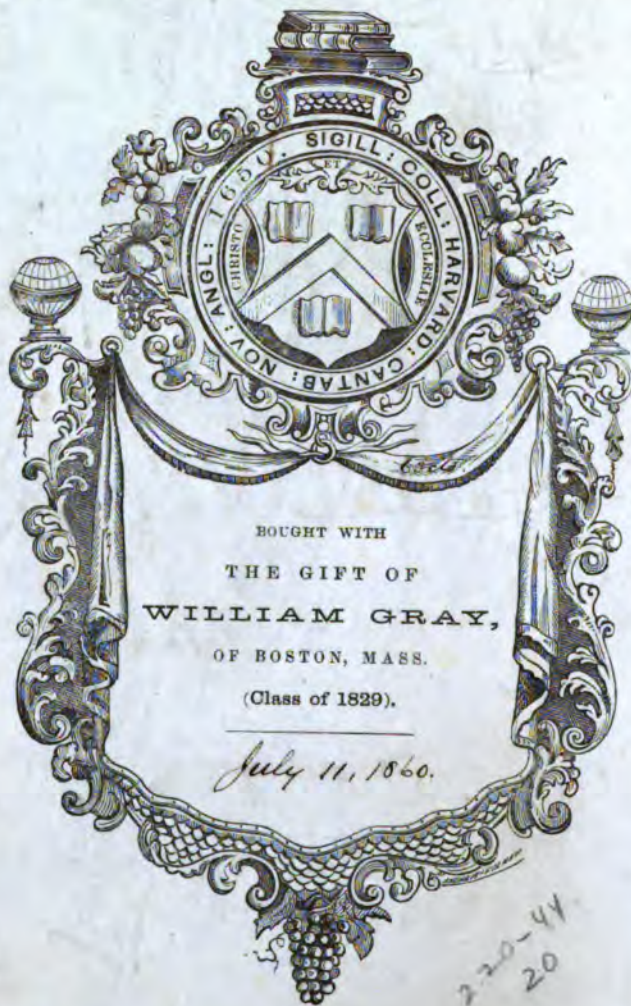
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ABSTRACT
OF THE
LAWS OF JAMAICA
RELATING TO SLAVES.

(From 33 CHARLES II. to 59 GEORGE III. inclusive.)

WITH THE
Slave Law

AT LENGTH.

ALSO,
AN APPENDIX,

CONTAINING

**AN ABSTRACT OF THE ACTS OF PARLIAMENT RELAT-
ING TO THE ABOLITION OF THE SLAVE-TRADE.**

By JOHN LUNAN.

JAMAICA.

PRINTED AT THE OFFICE OF THE SAINT JAGO DE LA VEGA GAZETTE.

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TO HIS GRACE

WILLIAM, DUKE OF MANCHESTER,

CAPTAIN GENERAL AND GOVERNOR IN CHIEF OF THE
ISLAND OF JAMAICA, &c. &c. &c.

MY LORD,

A PUBLICATION which has no other merit than that of being a faithful compilation, could, of itself, have no claim to the importance it will derive from being dedicated to your Grace. The subject, however, to which it relates, and the motive with which it was undertaken, will, in your Grace's judgment, be its best recommendation, and will suggest that to you only should a work of such a nature be dedicated.

It regards that part of the population of Jamaica whose condition has so much engaged your Grace's attention; and it contains those laws by which their situation has been ameliorated; many of them passed under your own auspices.

It was undertaken with the view of rendering a knowledge of those laws more general, of increasing the means of their execution, and of facilitating their future improvement.

IN

IN compiling such a work, as well as on every other occasion which leads to a review of the history of Jamaica, the period which has been distinguished by your Grace's administration of its government, must especially present itself to the minds of all who can justly appreciate its important effects on the character and welfare of the colony. The principal motive, indeed, for soliciting permission to dedicate it to your Grace, is the opportunity afforded me of offering it as an humble testimony of the gratitude I feel, in common with the whole community, for the many benefits this island has experienced from your Grace's government, and which I sincerely pray may long continue to be its best protection.

I have the honor to be,

My Lord,

With the greatest respect,

Your Grace's most faithful,

And very humble servant,

JOHN LUNAN,

Spanish-Town, Jamaica, October 15, 1819,

PREFACE.

AT a period when the state of the slaves in the West Indies engages so much attention, and when the amelioration of their condition is an object so generally desired, and so zealously promoted, an attempt to extend and render more familiar a knowledge of such of the laws of Jamaica as are in any respect applicable to their situation, may, it is hoped, be productive of utility. It may contribute to the more prompt and unerring execution of those laws, and it may assist the judgment on such parts of them as may, from time to time, be proper subjects of revision or amendment.

THE public acts of the legislature of Jamaica occupy more than six quarto volumes. It is obvious that a knowledge of their contents, so far as they relate to the slave population, must be obtained with considerable labour and difficulty, even by those whose duty may require, or whose inclination may induce, them to engage in the enquiry; and the difficulty is increased in consequence of many important legislative provisions respecting slaves being incorporated into acts, the titles of which do not profess to relate to them. There are many persons with respect to whom such motives do not exist, and whose

whose acquaintance with our slave laws is derived from the most imperfect sources. From these considerations, the editor of this compilation is desirous of submitting to the public a digest of the slave laws of Jamaica, in which he has collected the several acts and clauses of acts to be found in the printed volumes, which have any relation to the state and condition of the slaves of that island.

THIS publication is not confined to the selection of those acts by which the protection and subordination of the slave, or, in other words, the relative duties obligatory on him and his master, are enjoined and enforced, but it embraces all those regulations which respect the mode by which slaves are acquired, whether by purchase, devise, or descent; by which the rights of their owners are secured; offences against those rights punished; and to the means by which they are held, with reference to the claims of creditors and incumbrancers, and by which those claims are protected, enforced, and controuled. In addition to such of the acts as relate to those several subjects, this compilation contains the Inveigling, Workhouse, Foreign Slave, Registry, and Abolition Acts; and, on the whole, will be found a complete Abstract of the Slave Laws of Jamaica. No pains have been wanting to make it so; but, should omissions be discovered, the compiler will most readily supply them in an Addenda, to be delivered *gratis* to the purchasers. A few local regulations in the different

different police acts have not indeed been inserted, as not demanding a place in a work of so general a nature, and being considered as familiar in the places where they exist. The unrepealed clauses of the act of the 8th Wm. 3, *cap.* 2, though still in force, have also been omitted, because they are included in that of the 50th Geo. 3, *cap.* 21.

AN impartial examination of this code of laws must, it is conceived, lead to the gratifying conviction that a spirit of humanity towards the negro population characterised even the earliest periods of our legislation, and that the same spirit has extended itself to meet and give effect to every change in the state and moral habits of those who are its objects.

THE progressive and rapid improvement in the condition of the slaves has been forcibly pointed out in the able report drawn up by Mr. Shand, and presented to the honourable House of Assembly in the session of 1815, a few passages of which are annexed below.

SINCE that period, the slave law of 1809 has undergone many amendments by the act which passed in 1816, and which appears at length in this abstract. Among these amendments the important object of religious information has been particularly attended to, and the duty of affording such instruction to their slaves enjoined upon every owner. In addition to this, two laws have been passed, making

king a provision of 500*l. per annum* each for twenty-one curates, for the especial purpose of educating them in the principles of the Christian religion.

AMONG the many important amendments which have been introduced into the slave act, a facility is afforded to testamentary manumissions, by dispensing with the solemnities under which the disposition of slaves is required to be made, and declaring that a will which would be valid to pass personal estate shall be sufficient for the purpose of conferring freedom. On the death of the testator, without waiting until the executor has either made a deed of manumission, or granted the bond required to be given to the parish for his maintenance, the slave becomes free, and the estate of the testator is charged with it. The freedom of the party is thus established at once, without depending as formerly on the caprice or negligence of heirs or executors in signing the necessary papers.

ANOTHER important amendment is that which imposes on magistrates the duty of summoning a special sessions of the peace, for the purpose of enquiring into any allegation of freedom by, or on the part of, any negroes, or coloured persons, taken up as runaway slaves; and of discharging them when such allegations are found to be true.

For their personal security against all kinds of violence, the extended powers granted to the
the

the council of protection in each parish must be found sufficient and satisfactory. Their own voice of complaint must be heard by the magistrate, and their grievances enquired into and redressed, on such representation. In cases of sudden death, the late Coroner's Act, passed in 1817, abundantly provides, that the strictest enquiry shall be made into the circumstances by which such casualties might have been occasioned, in the same manner, in all respects, as pursued on the sudden death of white persons. When brought to trial for offences against the laws, three magistrates must preside, the number of the jury is increased from nine to twelve, and every person who has attended slave-trials must acknowledge, that the same forms, the same solemnity, and the same regard to the defence of the prisoner, are observed, as are to be found in the higher courts. In addition to these humane provisions, the late law has put an entire stop to the practice of trafficking in slaves within the colony, by prohibiting the purchase of them with a view only to resale. Persons guilty of travelling about for such a purpose, may be detained, as well as the slaves, until the facts are established before two justices of the peace, when the slaves become forfeited, and all titles, under such purchases or sales, are declared void. But, without any legislative provision, such is the prevailing disposition in Jamaica to afford every possible indulgence to the slaves, it seldom occurs that a sale of them is effected without their own consent being first obtained, as to the choice of their future owner;

owner; and nothing is more common than to see them travelling about with tickets of permission to chuse owners for themselves. Several instances are within the knowledge of the compiler, where contracts for purchases of negroes have been rescinded, in consequence of their disinclination to be attached to the intended purchaser.

A TABLE of the titles of the acts abstracted from, and an ample index have been annexed, which, in the discovery of particular passages, will, it is presumed, be of considerable use to magistrates and others in the habit of attending slave trials, as well as to all who may have occasion to refer to these laws,

It was the original intention of the compiler to have classed the several acts which are comprised in this volume, under heads appropriate to their particular subjects. He has, however, adopted an arrangement according to the chronological order in which they are passed. By such an arrangement the progressive improvement which has taken place in the legislation on this important subject is more distinctly marked, and it is hoped that the object of the other method, may be obtained by a reference to the index.

IN order to render the book as complete as possible, an abstract of the late laws of the British Parliament, concerning the abolition of the slave trade, has been added, by way of appendix.

Extract

Extract from Mr. Shand's Report referred to above.

WITHOUT fixing an exact date to an object incapable of such precision, we should be inclined to assign the period of the American revolution as the time when the amelioration commenced: After the separation of the provinces, now called the United States, several loyalists, with a considerable number of slaves, came and settled in this island: These were much further advanced in the scale of society than the plantation negroes of this country, and their example had a very beneficial influence: About the same period many young gentlemen, discharged from the army and navy, resorted to the island in search of employment, which they found on the plantations, and afforded that better description of planters, referred to in the evidence of several witnesses, as one cause of improvement in the condition of the slaves:

BUT before such instruments are sought for and preferred, a change must have taken place in the manners and sentiments of the proprietors and managers of estates: Harsh commands must be executed by severe ministers! It is well known that manners precede the march of laws, when the people have a share in framing them: Many of the enactments, which disgraced our statute book at that period, were mere dead letters: A milder system had succeeded, and new regulations were called for by the voice of the inhabitants: There are members of this committee, who recollect the prejudices and difficulties of the older planters in the discussions, which preceded that great change, which inflicted the punishment of death on a white person, who deprived a negro of life: All other cruel and most severe punishments were abolished by the consolidated slave law, which passed in the year 1784: That law, which at first was only enacted for a limited time, has now no duration clause: By it persons, wilfully killing a slave, whether their own property or belonging to another, are to suffer death: Mutilating slaves is punished by fine of one hundred pounds and twelve months' imprisonment, and, in atrocious cases, the slave is to be manumitted, and allowed an annuity: Persons cruelly beating slaves, or keeping them in confinement without support, are to be punished by fine or imprisonment, or both: The justices and vestry are appointed a council of protection for such slaves, and required to prosecute with effect the owners or offenders: No slave is to receive more than thirty nine lashes for any offence on any account in one day, nor can the punishment be repeated until the delinquent has recovered: No slave can be punished by having iron collars, weights, or chains, put on them: Slaves are to be allowed one day in every fortnight out of crop, exclusive of Sundays, to cultivate their grounds, and are to have sufficient clothes allowed them, to be approved by the justices and vestry: All offences committed by slaves beyond petty delinquencies, which may be inquired into before the magistrates, are to be tried before a jury, and, if the sentence be death, it must be by hanging by the neck, and in no other manner: Slaves are not to work in the field before five o'clock in the morning, nor after seven o'clock in the evening, and are to have half an hour for breakfast and two hours for dinner: Female slaves, who have reared six children, are to be exempt from all labour, and the owner is to have the taxes remitted on slaves so privileged: Such are some of the clauses of the law, which affords protection to the slave in the important points of life, exemption from cruel and excessive punishment, or severe labour, and secures to him food, raiment and a fair trial for offences, involving the punishment of death, transportation, or protracted confinement to hard labour.

TITLES OF THE ACTS

FROM WHICH THE ABSTRACTS ARE MADE.

	Page
<i>AN ACT for establishing courts and directing the marshal's proceedings (33 Car. 2, c. 23. 1681).</i>	1
<i>An act for regulating fees. (10 Ann. c. 4. 1711).</i>	1
<i>An act to encourage white men to come to continue and settle in this island. (11 Ann. c. 3. 1712.)</i>	1
<i>An act for the more effectual directing the marshal's proceedings, and regulating thereof (8 Geo. 2, c. 5. 1735).</i>	1
<i>An act to prevent hawking and pedling, and disposing of goods clandestinely. (8 Geo. 2, c. 6. 1735).</i>	2
<i>An act to prevent the abuses committed by entertaining, concealing, or carrying off, any of his majesty's soldiers, any white men or women servants, or slaves, belonging to any of the inhabitants of this island, without tickets; and for the better regulating servants, and deciding differences between masters and servants. (9 Geo. 2, c. 9. 1736.)</i>	3
<i>An act for recovering and extending the trade with the Indian settlements in America, and preventing for the future some evil practices formerly committed in that trade. (14 Geo. 2, c. 6. 1741.)</i>	3
<i>An act for the more effectual preventing the evil practice of the owners of slaves hiring out such slaves to themselves. (26 Geo. 2, c. 6. 1753.)</i>	4
<i>An act to make the copy of tolls of negroes, or other slaves, evidences, and to enlarge the fee to be paid for entering tolls of negroes and other slaves, in the toll books of the several precincts of this island. (28 Geo. 2, c. 7. 1755.)</i>	4

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<i>An act to establish the probates of all deeds and conveyances, which have been proved and acknowledged in this island since the second day of October, in the year of our Lord one thousand seven hundred and fifty-eight, before persons who had been appointed judges under an act entitled "An act to enlarge the jurisdiction of the several inferior courts of common pleas," and since the repeal thereof, good and valid in that respect only; as also to establish the probates of all deeds and conveyances, taken and acknowledged by justices of assize, good and valid in that respect only; and to establish certain toll-books for the parishes of St. Dorothy and St. Thomas in the Vale, as records (1 Geo. 3, c. 20, 1760.)</i>	5
<i>An act to explain and amend part of an act entitled "An act to encourage coloxel Cudjoe and captain Quao, and the several negroes under their command in Trelawny and Crawford Towns, and all other towns of rebellious negroes who submitted to terms, to pursue and take up runaway slaves, and such negroes as continue in rebellion; and for remedying some inconveniencies in the laws already made for that purpose" (10 Geo. 3, cap. 5, 1769.)</i>	7
<i>An act for regulating the manumission of negro, mulatto, and other slaves; and to oblige the owners to make a provision for them during their lives. (15 Geo. 3, c. 18, 1774.)</i>	8
<i>An act to regulate the devises of negro, mulatto, and other slaves, in wills. (16 Geo. 3, c. 14, 1775.)</i>	9
<i>An act for the better regulation of executors and administrators, in the defence of actions or suits brought against them in right of their respective testators or intestates estates; and for other purposes. (16 Geo. 3, c. 15, 1775.)</i>	9
<i>An act to prevent improper levies being made on the negroes or other slaves of minors; and to regulate the sales of slaves taken on writs against persons who have only an estate for a term of years, or for their own lives, or for the lives of any other persons, in negro or other slaves. (17 Geo. 3, c. 7, 1776.)</i>	9
<i>An act to explain and amend an act, entitled, "An act for recovering and extending the trade with the Indian settlements in America, and preventing for the future some evil practices formerly committed in that trade. (17 Geo. 3, c. 28, 1776.)</i>	12
<i>An act for quieting to purchasers, and those claiming under them,</i>	the

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<i>The possession of negro and other slaves purchased under writs of venditioni; and for other purposes. (23 Geo. 3, c. 13, 1782.)</i>	13
<i>An act to remedy the evils arising to mortgagees and mortgagers, by the removal of slaves, mules, cattle, stock, and plantation utensils, under mortgage, and levied on junior writs of venditioni, and for other purposes. (23 Geo. 3, c. 14. 1782.)</i>	14
<i>An act to prevent slaves standing charged with any crime or offence, from availing themselves, on their trials, of manumissions granted them after the commission of the crime or offence for which they stand so charged." (25 Geo. 3, c. 8. 1784.)</i>	15
<i>An act to prevent the captains, commanders, or masters of ships, and all other vessels whatsoever, from clandestinely carrying off this island negro or other slaves. (25 Geo. 3, c. 17. 1784.)</i>	16
<i>An act for repealing certain clauses of " An act for repealing an act entitled ' An act for the better discovering and collecting the arrears of his majesty's quit-rents; and for the more effectual collecting of the quit-rents hereafter to become due; and for the better discovering, ascertaining, and collecting, such arrears; and for the more effectual collecting the quit-rents hereafter to become due;" and for the more easy and effectual collecting, as well the arrears of his majesty's quit-rents, as the quit-rents hereafter to become due to his majesty. (29 Geo. 3, c. 12. 1788.)</i>	19
<i>An act for the more effectually preventing nuisances on the high ways. (29 Geo. 3, c. 14. 1788.)</i>	20
<i>An act to give a recompense to persons that shall be unjustly vexed by writs of replevin. (30 Geo. 3, c. 2. 1789.)</i>	20
<i>An act to repeal " An act for the better order and government of the negroes belonging to the several negro-towns, and for preventing them from purchasing of slaves; and for encouraging the said negroes to go in pursuit of runaway slaves; and for other purposes therein mentioned;" and for giving the maroon negroes further protection and security; for altering the mode of trial; and for other purposes. (32 Geo. 3, c. 4. 1791.)</i>	22
<i>An act for establishing public workhouses in the several parishes in this island. (32 Geo. 3, c. 11. 1791.)</i>	23
<i>An act to repeal certain acts, and clauses and parts of acts, therein mentioned; to prevent the hiding, concealing, inveigling, detain-</i>	ing

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<i>ing, knowingly harbouring or employing, the slaves of others ; to prevent the transportation of slaves by mortgagers and tenants for life and years ; and for regulating abuses committed by slaves. (36 Geo. 3, c. 10. 1795.)</i>	28
<i>An act for the ease and relief of jurors and suitors of the supreme and certain other courts within this island ; and for other purposes. (38 Geo. 3, c. 23. 1797.)</i>	38
<i>An act for the better establishment of the clergy of this island ; to oblige the justices and vestries to build a church, and a parsonage house, in their respective parishes ; and for establishing a fund, or provision, for the support and maintenance of the widows, and orphan children of deceased clergymen. (38 Geo. 3, c. 24. 1797.)</i>	39
<i>An act to authorize and empower the justices and vestry of the several parishes in this island to make and erect pounds, for the better securing of all strays of horses, mares, mules, asses, and horned cattle, belonging to the inhabitants of this island. (39 Geo. 3, c. 13. 1798.)</i>	39
<i>An act to ascertain who shall be deemed duly qualified to vote for choosing churchwardens and vestrymen of the several parishes of this island ; to protect freeholders on the days of holding such elections, and magistrates, vestrymen, and clerks of the vestry, on the days appointed for parochial business ; and to regulate certain other parochial proceedings. (39 Geo. 3, c. 22. 1798.)</i>	39
<i>An act to prevent any intercourse and communication between the slaves of this island, and foreign slaves of a certain description, and for other purposes. (39 Geo. 3, c. 29. 1799.)</i>	39
<i>An act for enforcing the instructions given to all captains or commanding officers of ships and vessels having letters of marque and reprisal against the enemy ; and for other purposes. (41 Geo. 3, c. 19. 1801.)</i>	63
<i>An act for explaining and amending the laws relating to manslaughter (42 Geo. 3, c. 18, 1801.)</i>	66
<i>An act for altering the manner of trying titles to slaves ; and for better regulating trials of replevins, in cases of distress and levy of slaves. (42 Geo. 3, c. 21. 1801.)</i>	66
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<i>An act to prevent preaching by persons not duly qualified by law.</i> (43 Geo. 3, c. 30. 1802.)	Page 72
<i>An act to authorise and empower the commander-in-chief for the time being to cause parties to be raised and fitted out for suppressing any rebellion, and for going in pursuit of, and reducing, runaway slaves</i> (48 Geo. 3, c. 4. 1807.)	78
<i>An act for providing a maintenance for people of free condition confined for debt, and slaves confined in the county gaols of this island,</i> (48 Geo. 3, c. 30. 1807.)	76
<i>An act to repeal "An act for preventing depredations on coffee and other produce, and for discovering and punishing receivers of stolen produce, and for better regulating certificates of the growth of such produce;" and for making further provision against the evils contemplated in the said act.</i> (50 Geo. 3, c. 20. 1809.)	77
<i>An act to repeal several acts therein mentioned respecting slaves, to declare slaves assets for payment of debts and legacies, and in what manner they shall descend and be held as property, and be sold and conveyed in certain cases.</i> (50 Geo. 3, c. 21. 1809.)	77
<i>An act for preserving all such ships or vessels, and goods belonging thereto, which shall happen to be forced on shore or stranded on the coasts of this island; for preventing the stealing or detaining of shipwrecked goods; for regulating the adjustment and payment of salvage to such persons as assist in preserving such ships, vessels, or goods.</i> (53 Geo. 3, c. 25, 1812.)	79
<i>An act to enable the justices and vestry of the several parishes of this island, to fit out parties of confidential slaves.</i> (54 Geo. 3, c. 17. 1813.)	80
<i>An act for a more particular return of slaves in this island, and the enrolment thereof.</i> (57 Geo. 3, c. 15. 1816.)	81
<i>An act in furtherance of the provisions of the abolition laws within this island.</i> (57 Geo. 3, c. 18. 1816.)	92
<i>An act for providing curates for the several parishes of this island, and for promoting religious instruction amongst the slaves.</i> (57 Geo. 3, c. 24, 1816.)	103
<i>An act for the subsistence, clothing, and the better regulation and government of slaves; for enlarging the powers of the council of protection;</i>	

<i>protection ; for preventing the improper transfer of slaves ; and for other purposes. (57 Geo. 3, c. 25. 1816.)</i>	Page 105
<i>An act for regulating the sale of gunpowder and fire-arms, (58 Geo. 3, c. 15. 1817.)</i>	145
<i>An act for further regulating the duties of the office of coroner. (58 Geo 3, c. 23. 1817.)</i>	145
<i>An act to declare in force the slave act, passed in the year one thousand eight hundred and nine, so far as concerns the punishment of crimes committed during the continuance thereof. (58 Geo. 3: c. 24. 1817.)</i>	147
<i>An act for laying a duty on all wines, and upon brandy, gin, rum, and other distilled spirits, retailed within this island ; and for laying a further tax on licences to be granted for the retailing of brandy, gin, rum, and other distilled spirits, and on the public offices, and applying the same to several uses. (59 Geo. 3, c. 13. 1818.)</i>	148
<i>An act for making further provision for the curates of the several parishes of this island. (59 Geo. 3, c 18. 1818.)</i>	148

TITLES OF THE ACTS OF THE BRITISH PARLIAMENT ABSTRACTED
FROM IN THE APPENDIX.

<i>An act to prevent the importation of slaves by any of his majesty's subjects, into any islands, colonies, plantations, or territories, belonging to any foreign sovereign, state, or power ; and also to render more effectual a certain order, made by his majesty in council on the fifteenth day of August, one thousand eight hundred and five, for prohibiting the importation of slaves (except in certain cases), into any of the settlements, islands, colonies, or plantations on the continent of America, or in the West-Indies, which have been surrendered to his majesty's arms during the present war ; and to prevent the fitting-out of foreign slave ships from British ports. (46 Geo. 3, c. 52. 1806.)</i>	149
<i>An act for the abolition of the slave trade. (47 Geo. 3, c. 36. 1807.)</i>	165
<i>An</i>	

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<i>An act for rendering more effectual an act made in the forty-seventh year of his majesty's reign, entituled, "An act for the abolition of the slave trade." (51 Geo. 3, c. 23. 1811.)</i>	174
<i>An act to enlarge the time for commencing prosecutions for forfeitures under certain acts relating to the abolition of the slave trade. (53 Geo. 3, c. 112. 1813.)</i>	179
<i>An act to allow ships taken and condemned for being used in carrying on the slave trade, to be registered as British built ships (54 Geo. 3, c. 59. 1814.)</i>	179
<i>An act to provide for the support of captured slaves during the period of adjudication. (55 Geo. 3, c. 172. 1815.)</i>	180
<i>An act to explain three acts, passed in the forty-sixth, forty-seventh, and fifty-first years of his majesty's reign, respectively, for the abolition of the slave trade (58 Geo. 3, c. 49. 1818.)</i>	183
<i>An act to explain and amend an act passed in the fifty-first year of his majesty's reign, for rendering more effectual an act made in the forty-seventh year of his majesty's reign, for the abolition of the slave trade. (58 Geo. 3, c. 98. 1818.)</i>	186
<i>An act for establishing a registry of colonial slaves in Great Britain, and for making further provision with respect to the removal of slaves from British colonies. (52 Geo. 3, c. 120. 1819.)</i>	187

A B S T R A C T

OF THE

LAWS OF JAMAICA,

RELATING TO SLAVES.

ANNO 33° CAROLI II. CAP. 23.

ENACTS, *Clause 10.*---“ That no negroes, horses, or any manner of utensils, belonging to a plantation, brick, or pot-work, nor any other negroes whatsoever, from and after the making hereof, shall be taken in execution, where the party, against whom the execution is obtained, shall offer goods for satisfaction of the debt and costs of suit.”

No negroes to be taken in execution where goods are offered.

ANNO 10° ANNÆ, CAP. 4.

Enacts, *Clause 11.*---“ That none of the inferior courts intermeddle with or determine any actions whatsoever, where titles of land and negroes are concerned; any law, custom, or usage, to the contrary, notwithstanding.”

Inferior courts not to determine slave titles.

ANNO 11° ANNÆ CAP. 3.

Enacts, *Clauses 2, 3.*---That only one slave can be employed in a drogger, and, on wharves, only three shall be employed for and with any or every white man, and no more.

One slave employed in droggers and three on wharves.

ANNO 8° GEORGI II. CAP. 5.

Enacts, *Clause 9.*---“ That, whenever hereafter any slave or slaves, taken on any writ or writs of venditioni, shall be exposed to sale, the provost-marshal, and his deputies respectively, shall sell all such slaves singly, unless in cases of families; in which case, and no other, the said provost-marshal, or any of his deputies, may set up to sale such family or families, consisting of a man and his wife, his, her, or their, children.”

Slaves to be sold in families under writs of venditioni.

A

CAP.

SLAVE LAWS OF JAMAICA.

CAP. 6.

Negroes, &c.
hawking
goods, to
forfeit the
same,
and may be
corporally
punished.

Provided for
provisions,
the vender
having a
ticket.

Enacts, Clause 1.---“ That no mulatto, Indian, or negro, whatsoever, shall hawk or carry about to sell from place to place, or shall sell in any open street or market, any sort or sorts of goods, wares, or merchandises whatsoever, on penalty of the forfeiture of all and every such goods, wares, and merchandises, as shall be so hawked or carried, or exposed to be sold and disposed of, and the further pain of such corporal punishment as any magistrate, in his discretion, shall think fit to appoint, not exceeding thirty-one lashes : **Provided always,** That nothing in this act contained shall extend, or be deemed, construed, or taken to extend, to prevent the carrying about, selling, and disposing of, all and all manner of provisions, fruits, fresh fish, milk, poultry, and other small stock of all kinds; but that the same may be carried about, sold, and disposed of, as formerly, provided the person hath a ticket from the master or owner of such goods; any thing in this act contained to the contrary thereof in anywise notwithstanding ”

Foretellers
and engross-
ers to be
whipped.

Clause 2.---“ That no mulatto, Indian, or negro, whatsoever, shall buy up, to re-vend or engross, any manner of plantation provisions, or small stock whatsoever; and whosoever shall offend, contrary to the true intent and meaning hereof, shall be subject to such corporal punishment, not exceeding thirty-one lashes, as any magistrate, in his discretion, shall order.”

Slaves not to
sell or give
sugar or canes,
without a
ticket from
the owner.

Clause 3.---“ That no slave presume to sell or give away any sugar, or sugar-canes, without a ticket from the owner or proprietor of such slave, on pain of such corporal punishment, to be inflicted on such slave or slaves by order of any justice, as such justice shall think fitting, not exceeding thirty-one lashes.”

Penalty on
persons re-
ceiving rum,
&c. from any
one but the
owner or
factor.

Clause 4.---“ That all and every person or persons who shall buy or receive any sugar, rum, cotton, ginger, coffee, cocoa, or chocolate, or other product of the island (provisions and small stock excepted) of any slave or slaves, or any other person but the master or owner of such rum, sugar, cotton, ginger, coffee, cocoa, chocolate, or other product, as aforesaid, or a known factor for the same, and shall be thereof convicted, by the oath of any one white person, shall forfeit ten pounds (to the uses herein after mentioned) for the first offence, and, for the second and every other offence of the kind, the like sum of ten pounds, and suffer such corporal punishment as any justice of the peace, in his discretion, shall order, not exceeding twenty lashes on the bare back or buttocks.”

Clause.

SLAVE LAWS OF JAMAICA.

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Clause 5 ---“ That all penalties and forfeitures in this act mentioned shall be recovered before two justices of the peace; the one half thereof to the use of the informer, and the other half to the use of the poor of the parish where such offence shall be committed; any law, custom, or usage, to the contrary notwithstanding.”

Penalties how to be recovered, and applied.

ANNO 9^o GEORGII II. CAP. 9.

Enacts, Clause 4.---“ That whatever master or commander of any ship or vessel shall entertain, work, or suffer or permit to be entertained or wrought, on board such ship or vessel, any slave belonging to any inhabitant in this island, (other than the proper slaves of such master or commander) without hiring him from the owner, or having a certificate from the *custos rotulorum*, or any two justices of the peace, of the precinct wherein the owner of such slave resides, that such slave is at liberty from his owner to hire himself (which certificate shall contain the names of the owner, and of the slave, and the place of the residence of such owner, and for how long time such slave is at liberty to hire himself), such master or commander of ships or other vessels, offending as aforesaid, shall, over and above all other penalties, forfeit the sum of one hundred pounds, to be recovered before any two justices of the peace; who are hereby empowered to summon before them all such offenders, and to hear and determine such offence, and to commit such offender or offenders to the common gaol, there to remain without bail or mainprise, until he hath paid the said forfeiture; any law, custom, or usage, to the contrary notwithstanding.”

Commanders of ships not to work any slave without due authority;

under penalty (besides others) of 100*l*.

Provides, Clause 5.---That masters of vessels shall take an oath that they will not hire any slave but from the owner, or such as shall have a certificate from the *custos*, or two justices of the peace, purporting that such slave is at liberty to hire himself.

Masters of vessels to take oath not to hire slaves without permission.

Clause 6.---“ That all and every person and persons that shall run away with or carry off, or attempt to run away with or carry off, any other person's white servant, negro or negroes, from this island, and be taken in the attempt, and convicted thereof, shall be guilty of felony, without benefit of clergy, and suffer as such; any law, custom, or usage, to the contrary notwithstanding.”

Carrying off negroes, &c. felony.

ANNO 14^o GEORGII II. CAP. 6.

Enacts, Clause 1.---“ That all Indians who shall arrive, or be imported for sale into this island, from and after the first day of June, in the year of our Lord seventeen hundred and forty-one, shall be free, to all intents and purposes, as any other

Indians arriving, or brought for sale, declared free.

SLAVE LAWS OF JAMAICA.

Buyers and
sellers to for-
feit 50*l.* each.
Now 500*l.*

Recovery and
application
thereof.

aliens or foreigners are; and that all sales made in this island, to any person or persons residing or that shall reside or belong to this island, of any Indian or Indians, from and after the said first day of June, in the said year seventeen hundred and forty-one, shall be absolutely null and void; and that if any person or persons shall, from and after the said first day of June, seventeen hundred and forty-one, sell or buy any Indian or Indians, so imported, every such person or persons shall forfeit for every such offence the sum of fifty pounds; to be recovered in the supreme court of judicature of this island, by action of debt, bill, plaint, or information, wherein no essoin, protection, wager of law, or injunction, shall be granted or allowed, or *non vult ulterius prosequi* be entered; and one moiety whereof shall be to the informer, or him or them who shall sue for the same, and the other moiety to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof." (See 17 Geo. 3, cap. 28.)

ANNO 26^o GEORGII II. CAP. 6.

Owners hiring
slaves to them-
selves, and
employers of
such slaves,
subjected to
10*l.* penalty
each.

Recovery and
application
thereof.

Enacts, "That if any owner or owners, employer or employers, of any slave or slaves, or any other inhabitant of this island, shall, from and after the twenty-fifth day of March, in the year of our Lord one thousand seven hundred and fifty-four, consent or permit, for a certain sum of money or other consideration, to be paid by the day, week, month, or year, or any greater or lesser time, such slave or slaves to go abroad, or to employ themselves where such slave or slaves shall think fit, or to work for whom they please, he, she, or they, and all and every person hiring or employing any such slave or slaves, shall forfeit the sum of ten pounds for every offence; to be recovered before any two justices of the peace of the parish or precinct where the offence shall be committed, by warrant under their hands and seals, by distress and sale of the offender's goods and chattels; one moiety whereof to the informer or prosecutor, the other moiety to the churchwardens, for the use of the poor of the parish where such offence shall be committed."

ANNO 28^o GEORGII II. CAP. 7.

Attested co-
pies of tolls
allowed to be
good evidence.

Fee for co-
pies.

Enacts, Clause 1.---"That, from and immediately after the passing of this act, in all trials where the right and title of any negro or other slaves shall be called in question, a copy of any toll already made, or that may hereafter be made, attested under the hand of the clerk of the peace, or clerk of the vestry, keeping such toll-books, shall be deemed, adjudged, and taken, as good and sufficient evidence, in all such trials, as if the original toll-book where such toll had been entered, had been produced: And for every copy of

SLAVE LAWS OF JAMAICA.

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of any of the said tolls, attested as aforesaid, the clerk of the peace, or clerk of the vestry, shall be intitled to demand and receive the sum of five shillings, and no more."

Clause 2.---" That, from and after the passing of this act, such clerks of the peace, or clerks of the vestry, shall, for the entry of every toll they shall make, be entitled to ask, demand, and receive, the sum of five shillings, and no more ; any law, custom, or usage, to the contrary notwithstanding." (*See 1 Geo. 3, cap. 20, and 50 Geo. 3, cap. 21.*)

Fee for entering tolls.

ANNO 1^o GEORGII III. CAP. 20.

Enacts, *Clause 3.*---" That all and every book and books kept, before the passing of this act, for the tolling of a negro and other slaves, by the clerks of the vestries for the parishes of St. Dorothy and St. Thomas in the Vale, and the respective tolls kept and entered therein, shall be, and the same are hereby declared to be, good and valid in law, to all intents and purposes, as if such toll-books respectively had been kept, and the tolls therein entered, by the clerk of the peace appointed for the said parishes respectively ; and which respective entries in such toll-books shall be as good and valid, and shall be held, deemed, and adjudged, to be a sufficient record and evidence in any court of record within this island, as other tolls and the entries therein are by law already declared to be."

Tolls taken by the clerks of the vestries of St. Dorothy and St. Thomas in the Vale declared authentic records ;

Clause 4.---" That the clerks of the Vestry of the said parishes of St. Dorothy and St. Thomas in the Vale, shall, upon request made to them respectively by the clerk of the peace appointed for the said parishes, transmit to him the said respective toll-books, in order that the same may be kept in his office as records, in the same manner as the other toll-books of the precinct are kept."

which clerks are to send their toll-books to the clerks of the peace, if required.

Clause 5.---" That, from and after the passing of this act, if any person or persons whatsoever shall rase or efface any of the entries of tolls, entered in such respective toll-books, so kept by the clerks of the vestry for the said parishes of St. Dorothy and St. Thomas in the Vale, as aforesaid, such person or persons so offending shall suffer such punishment as the law hath provided against such as rase and embezzle records."

Punishment for erasures, &c.

ANNO 9^o GEORGII III. CAP. 13.

Enacts, *Clause 1.*---" That, from and after the first day of February, which will be in the year of our Lord one thousand seven hundred

Affidavits being made, that slaves are not

SLAVE LAWS OF JAMAICA.

the property
of the persons
on whose ac-
count they
are taken,

provost-mar-
shal to defer
the sale for
twenty days,

that replevin
may be
brought.

Affidavit made
by owners to
be positive;
by representa-
tives, to be-
lieve.

Replevins not
issued within
twenty days,
sale to be pro-
ceeded in.

hundred and sixty-nine, on affidavit being made by the owner or owners of negro or other slaves, so taken by the provost-marshal, or his lawful deputy or deputies, by virtue of writs of *venditioni exponas*, or by the attornies, executors, administrators, or guardians, of such owner or owners, or by any mortgagee or mortgagees, or by his, her, or their representative or representatives, before any one of the judges of the supreme court of judicature of this island, or before any one of the commissioners appointed by law to take affidavits out of court, in matters relating to the said supreme court (who are, and each of them is, hereby empowered and required to take the same), that such negro or other slaves, so taken as aforesaid, are not the property of the party or parties against whom such writ or writs of *venditioni exponas* have been issued, nor liable to his or their debt, but are the property of the deponent, or of the person or persons whom he, she, or they represent, either in right of mortgage, entail, dower, right of minors, or are under lease, as the case may happen; that then the provost-marshal or his deputies, being duly served with such affidavit, shall, and he and they are hereby enjoined, directed, ordered, and obliged to, suspend and stay the sale of such negro or other slaves in such affidavit named, specified, and mentioned, for the space of twenty days, that the owner or owners of such negro or other slaves, mortgagee or mortgagees, his, her, or their attornies, executors, administrators, or guardians, may have sufficient time to prevent such sale, by issuing a writ or writs of replevin against the provost-marshal or his deputies, for the recovery of such negro or other slaves; any law, custom, or usage, to the contrary in anywise notwithstanding: **Provided always**, That such affidavit or affidavits of the property of such negro or other slaves, being made by the owner or owners of such negro or other slaves, shall be positive; but such affidavit being made by the attorney or attornies, executor, administrator, or guardian, of such owner or owners, mortgagee or mortgagees, shall be to the best of his or their knowledge and belief."

Provides, Clause 2.—"That if the party or parties making such affidavit as aforesaid shall not, within the space of the said twenty days, issue out his, her, or their writ of replevin, against the said provost-marshal or his deputies, for the recovery of such negro and other slaves, that then it shall and may be lawful for the said provost-marshal, or his deputies, to proceed to the sale of such negro or other slaves, as if such affidavit had not been made; any law, custom, or usage, to the contrary notwithstanding."

ANNO

SLAVE LAWS OF JAMAICA.

ANNO 10^o GEORGE III. CAP. 5.

Enacts, Clause 1.---“ That, from and after the first day of March, which shall be in the year of our Lord one thousand seven hundred and seventy, all runaway slaves, who shall be taken by any wild negro or negroes, shall be by him or them conveyed, within five days, to the next magistrate in the parish where such runaway slave or slaves shall be taken ; which said magistrate is hereby authorized to determine how much mile-money the wild negro or negroes taking up such runaways shall be intitled to, and grant a certificate thereof, as is herein after directed ; and, instead of the reward of three pounds, directed to be paid by the above-recited act, for every runaway slave or slaves delivered to said magistrate by any wild negro or negroes, such wild negro or negroes shall be only intitled to two pounds, or such part thereof as to the same magistrate shall seem meet, with mile-money, at the rate of seven pence halfpenny *per* mile, from the place where the said runaways appear to the said magistrate to have been taken, to the place where the said magistrate may be when such runaway slave or slaves shall be produced to him ; which said reward and mile-money shall be certified, under the hand of the magistrate, to the owner or owners of such runaway slave or slaves, if the said magistrate shall know him, her, or them : And the said owner or owners, upon such certificate being produced, is hereby obliged to pay to such wild negro or negroes the money therein specified, with mile-money, at the rate of seven pence halfpenny *per* mile, from the place where such certificate may happen to be dated, to the place of residence of the said owner or owners, or settlement to which said runaway slave or slaves may belong ; and every owner or owners, who shall neglect or refuse to pay the same, shall incur the penalty of double the sum such wild negro or negroes shall be so entitled to, for every such neglect or refusal : And, the better to prevent any dispute, which may arise between such owner or owners and such wild negro or negroes, about the payment of said reward and mile-money, herein before directed to be paid to said wild negro or negroes, such owner or owners, or other person or persons liable to pay the same, are hereby directed, obliged, and required, to make payment thereof in the presence of some white person, who is to certify the same on the back of the said certificate : And in case such payment shall not be made in the presence of some white person, as aforesaid, and complaint made thereof by such wild negro or negroes to the said magistrate, or any other of the parish or precinct where such runaway slave or slaves were taken up, such magistrate shall summon such owner or owners, or such other persons, to appear before him, at the time and place appointed by such summons ;
and

Maroons to take runaways to a magistrate within five days,

and be paid 40s for each (or less, at the will of the magistrate) and mile-money.

Certificate to be given of both sums,

Owner to pay specified sums, and mile-money to his house,

or forfeit double the amount.

Money to be paid before a white person, who is to certify it.

On complaint being made

owner to be summoned,

SLAVE LAWS OF JAMAICA

and distraint
guarantee.

Constable to
have pound-
age.

If runaways
cannot be sent
to their own-
ers,

the next mar-
shal is to pay
the maroons,

under the
same penalty
as owners, for
refusal.

and if it shall appear to the said magistrate that the said reward and mile-money have not been fully paid to such wild negro or negroes, or that the party summoned (and oath made thereof by the person serving the warrant) do not appear, the said magistrate is hereby authorized and required, under the penalty of ten pounds, to issue his warrant, and direct the same to any constable or marshal, to distrain on the goods of the said owner or owners, and the same, or so much thereof as will satisfy and pay the sum due to the said wild negro or negroes, to sell at public outcry, first giving five days notice of such sale, at the most public place in the parish where such goods are distrained; and, for the constable's trouble in distraining or selling such goods, he shall retain two shillings and six pence in the pound, out of the money arising from such sale, besides all reasonable charges in executing said warrant, returning the overplus (if any be) to the said owner or owners: And in case the magistrate shall not know, or be informed, who the owner or owners of such runaway slave or slaves shall be, or the owner (if known) shall reside at an inconvenient distance, such magistrate shall certify to the next marshal the sum due to the said wild negro or negroes, in manner and in form as is above directed to be done to the owner or owners of such runaway slave or slaves; and the said marshal is hereby directed and obliged to pay to such wild negro or negroes the sum or sums mentioned in the said certificate, with mile-money, at the rate of seven pence halfpenny *per* mile, from the place the said certificate may happen to be dated, to the place of the marshal's residence; and, if the said marshal shall neglect or refuse to pay such wild negro or negroes the sum he or they may be entitled to under this act, the said marshal shall be liable to pay, and be proceeded against in the same manner as is herein before directed, in case of any owner or owners neglecting or refusing to pay, as is directed by this act." (*Sec 32 Geo. 3. cap. 4.*)

ANNO 15^o GEORGII III. CAP. 18.

No slave to be
set free until
security be en-
tered into for
allowing such
slave 5*l.* per
ann.

Enacts, "That, from and after the passing of this act, no person or persons whatsoever, save and except the legislative body of this island, shall have power or authority to manumise, enfranchise, or set free, either by deed, will, or otherwise, any negro, mulatto, sambo, or other slave whatsoever, until such person or persons shall have first given good and sufficient security, to the churchwarden or churchwardens of the parish in which the owner of such negro, mulatto, or sambo, shall reside, for the payment to such negro, mulatto, or sambo, [*of*] an annual sum of five pounds, for and during the natural life of such negro, mulatto, or sambo, that shall be so manumised and set free."

ANNO

SLAVE LAWS OF JAMAICA.

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ANNO 16^o GEORGE III. CAP. 14.

Enacts.—"That all devises of negroes in wills heretofore made, or hereafter to be made, and duly proved and recorded in the secretary's office of this island, on or before the 1st day of January, one thousand seven hundred and seventy seven, and not executed according to the form of the said statute of frauds and perjuries,* have been, and shall be, good and valid to pass such negro, mulatto, and other slaves, according to the intent and meaning of such wills: And from and immediately after the said first day of January, no devise of any negro, mulatto, or other slave, by will, shall be good and valid in law to pass such negro, mulatto, or other slave, unless such will shall be duly executed according to the form prescribed by the said statute of the twenty-ninth year of king Charles the second, commonly called the statute of frauds and perjuries;* any law, custom, or usage, to the contrary thereof notwithstanding."

Devises of slaves in wills, though not in the form prescribed by stat. 29. Car. II. declared valid, if will recorded in a limited time; after which time, such devises must be according to that form.

See 57, Geo. 3, cap. 25, c. 41.

CAP. 15.

Enacts, Clause 3.—"That, from and after the passing of this act, it shall and may be lawful for executors and administrators to maintain, sue, prosecute, and defend, in the name or names of such executor or executors, administrator or administrators, in any of the courts of this island, any action or actions, suit or suits, touching and concerning any mulatto, negro, or other slave or slaves, the property of, or in the possession of, their respective testators or intestates at the time of his or her decease, and which slave or slaves, from and after the death of such testator or intestate, came into the possession of any person or persons whatsoever, and to recover the same by judgment of the same court, in like manner as the testator or intestate, if living, might have done; any law, custom, or usage, to the contrary in anywise notwithstanding: ~~Provided always nevertheless~~ That such action or actions, suit or suits, be not maintained, sued, prosecuted, or defended, against the heir, devisee, or other person lawfully possessed, of such slave or slaves, but only as against a stranger, or other person having no legal or just title thereto."

Executors, &c. authorized to maintain actions for recovery of slaves belonging to the deceased.

from persons having no legal title thereto.

ANNO 17^o GEORGE III. CAP. 7.

Enacts, Clause 1.—"That, from and immediately after the passing of this act, if any guardian or guardians, trustee or trustees, lease or leasees, or other person or persons having possession of the estate of any minor or minors, shall wilfully deliver up the slave

B.

Persons wilfully delivering up slaves of minors, for satisfaction of writs to which they are not liable, declared guilty of a misdemeanor.

OF

*This statute provides:—"That devises shall be in writing, and signed by the party so devising the same, or by some other in his presence, and by his express directions, and shall be attested and subscribed, in the presence of the said devisor, by three or four credible witnesses, or else they shall be utterly void, and of none effect."—By clause 41 of the slave act, p. 141. wills are made valid by manumissions, and the estate liable for the annuity, without a bond.

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or slaves of such minor or minors to the provost-marshal, or any of his deputies, or be wilfully aiding or assisting, or in any manner consenting, to the said provost-marshal, or any of his deputies, making a levy on the slave or slaves of such minor or minors, by virtue of any writ or writs whatsoever which hath or have been issued for such debts as such slave or slaves is or are not liable to, such guardian or guardians, trustee or trustees, lessee or lessees, or such other person or persons, having possession of such estate, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall suffer such fine and imprisonment as the judges of his majesty's supreme court of judicature, or the justices of the assize or county courts of this island, where the offender shall be tried, shall think proper to inflict.

Provost-marshal knowingly making a levy upon such slaves, to forfeit 200L

but if he takes them ignorantly, any judge of the grand court, upon application may release such slaves;

and where title doubtful, may prevent the sale till adjudged in the grand court.

Guardians, &c. delaying application, deemed abettors;

Clause 2.—“ That if the provost-marshal, or any of his deputies, shall corruptly or knowingly make a levy upon, and sell any slave or slaves of any minor or minors, upon any writ or writs whatsoever, which shall not be for such debt or debts as the estate or estates of such minor or minors are liable to, such provost-marshal, or such of his deputies, shall forfeit the sum of two hundred pounds for every slave so levied on: ~~Provided~~ **always**, That if the provost-marshal or any of his deputies, shall ignorantly, and without any evil design, make a levy on the slave or slaves of any minor or minors, by virtue of any writ or writs issued, for which the slave or slaves of such minor or minors is or are not liable, it shall and may be lawful for the chief justice of this island for the time being, or any assistant judge of the supreme court of judicature for the time being, on the application of the guardian or guardians, trustee or trustees, lessee or lessees, of such minor or minors, or of any other person or persons in the possession of the estate of such minor or minors, and on due proof that the slave or slaves, so levied upon, are not liable for said debt, to order the said slave or slaves, so levied upon, to be delivered back; and in all cases where the proof may not be fully made out, or be doubtful, to prevent any sale being made of any such slave or slaves, until the party or parties, plaintiff or plaintiffs, or persons otherwise entitled to the benefit of such writ or writs, shall make it appear, upon a full hearing of all parties in the supreme court of judicature of this island, that such slave or slaves is or are liable to such writ or writs: And, in case any guardian or guardians, trustee or trustees, lessee or lessees, or any other such person or persons as aforesaid, knowing such levy to have been made, shall wilfully neglect, his, her, or their, duty, herein, and not, before sale of such slave or slaves, make such application as aforesaid, such guardian or guardians, trustee or trustee,

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tees, lessee or lessees, or such other person or persons in possession of the estate of such minor or minors, shall be deemed to be aiding, assisting, or consenting to, such levy; and, on conviction thereof, shall suffer in the same manner as if he, she, or they, had been guilty of wilfully delivering up such slave or slaves to the said provost-marshal, or his deputy."

and punished accordingly.

Clause 3.---"That in case no assistant judge shall happen to be met with, within twelve miles of the place or estate where such levy shall have been so made, that then it shall and may be lawful for the custos of the parish or precinct, or, in his absence, the chief judge or any of the assistant judges of the court of common pleas in the said parish or precinct, to act in the same manner, and with the same powers given to the chief justice or any assistant judge of the supreme court of judicature, on the application being made to him by such guardian or guardians, trustee or trustees, lessee or lessees, or other person or persons having possession of such estates as aforesaid: And the provost-marshal, and his deputy, are hereby required, under the penalty of five hundred pounds, to postpone the sale of any slave or slaves, so taken, for thirty days, on notice being given, in writing, that such application hath been or will be made within ten days after such notice."

If no assistant judge found within twelve miles, the custos, or any judge of the common pleas, authorized to act in his stead.

Sale of slaves to be delayed thirty days, if notice given of application.

Clause 4.---"That whenever the provost-marshal, or his deputy, shall make a levy on the slave or slaves in the possession of any person or persons who have only an estate for a term of years, or for his, her, or their, own life or lives, or for the life or lives of any other person or persons, in such slave or slaves, the said provost-marshal or his deputy, knowing the slave or slaves so levied on to be thus circumstanced, or being so informed upon oath by the debtor or any other person whatsoever, is hereby required, under the penalty of five hundred pounds, to give public notice, at the time of sale, to every person attending as a purchaser, that the debtor or defendant hath only such estate as aforesaid in such slave or slaves so levied on, and to be sold by him: And, after such sale, and before delivery, the purchaser or purchasers of such slave or slaves shall give security, by entering into a bond to our sovereign lord the king, his heirs and successors, in the penalty of two hundred pounds for every negro or other slave such person shall purchase, that he will not for himself ship, or for his use or benefit, cause or consent to have such slave or slaves shipped or sent, from this island, or concealed within the same, and that he will not sell or dispose of such slave or slaves to any other person or persons, to be by him, her, or them, shipped off, or sent from this island, or concealed

Slaves being sold on account of persons who have only a temporary right in them, provost-marshal to give public notice thereof.

Before delivery, purchasers to give bond that such slaves shall not be transported or concealed.

B 2

within

Bond to be in
the secretary's
office.

within the same; which bond shall be lodged in the office of the secretary of this island, for the use and benefit of the person or persons who may have the right in remainder or reversion in and to such slave or slaves."

Purchasers
afterwards
shipping or
concealing
them, or con-
veying there-
at, to be fined
and impris-
oned.

Clause 5.---" That if any purchaser or purchasers shall afterwards ship off, or send from this island, or conceal within the same, or sell such slave or slaves to any other person or persons with any such intent, or for any such purpose, such purchaser or purchasers, and person or persons purchasing from him, her, or them, with such intent, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall suffer such fine and imprisonment as the judges of his majesty's supreme court of judicature, or the justices of the assize or county courts in this island, where the offender shall be tried, shall think proper to inflict."

notwithstand-
ing which,
bond to re-
main in full
force.

Clause 6.---" That no fine or imprisonment, which the offender or offenders against this act may suffer, shall do away such bond given as before required; but that the same shall remain in full force and virtue against him, her, or them, for the recovery of such damages as it may appear the person or persons intitled in remainder or reversion hath or have suffered."

Provost mar-
shal to give
fifteen days
notice of
intended sale
of negroes
taken on ven-
dition, expe-
nas.

Clause 7.---" That when any negro or other slaves are taken upon any writ or writs of *venditioni exponas*, the provost-marshal or his deputy, shall give public notice, at least fifteen days before the sale of such slaves (which notice shall be written fair, and fixed up in two of the most public places in the parish where such slaves are to be sold), setting forth in such notices the day of sale, and upon what writ or writs, and against whom, such slaves have been levied on, under the penalty of five hundred pounds." (*Sec 36 Geo. 3. cap. 10, sec. 30,---and 38 Geo. 3. cap. 23, cl. 8.*)

Application
of penalties

Clause 8.---" That all and every of the penalties herein-before mentioned shall be, one moiety to his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him, her, or them, who shall sue for the same."

CAP. 28.

Indians
brought since
Dec. 28, 1741,
and their de-

Enacts, Clause 1.---" That all Indians whatsoever, brought to this island since the twenty-eighth day of December, which was in the year of our Lord one thousand seven hundred and forty-one, and their descendants, are hereby declared to be free people, to all intents

parents and purposes whatsoever, any law, custom, usage, contract, or agreement, to the contrary thereof in anywise notwithstanding: And that if any person or persons shall sell or buy any such Indian or Indians, such person or persons shall forfeit the sum of five hundred pounds; to be recovered, by action of debt, bill, plaint, or information, in the supreme court of judicature, at the instance of the attorney-general, or clerk of the crown in the same court, who are hereby directed to prosecute and sue for the same; in which action no essoin, protection, wager of law, imparlance, or injunction, shall be allowed, or *non vult ulterius prosecui* be entered; the whole of which penalty, when recovered, after deducting the necessary charges and expences of prosecution, shall be paid to the receiver-general, for the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof." (See 14 Geo. 2. cap. 6.)

scendants, declared free.

500l. penalty on buyers and sellers of them. Recovery of such penalty.

and application.

Clause 2.---" That if any person or persons whatsoever shall be convicted, in his majesty's supreme court of judicature or courts of assize in this island, of kidnapping or stealing of any Indian, or transporting him, her, or them, from their settlements or elsewhere, to this island or elsewhere, for sale, such person or persons shall be deemed guilty of felony, and shall suffer death as a felon, without benefit of clergy; any law, custom, or usage, to the contrary notwithstanding." (By 31 Geo. 3. cap. 3, cl. 13, *Indians must not be entrusted with the command of droppers.*)

Persons kidnapping or stealing Indians, with intent to sell them, to suffer death.

ANNO 23^o GEORGIJ III. CAP. 13.

Enacts, Clause 1.---" That, from and after the passing of this act, all possessors of any negro, mulatto, or other slave or slaves, by virtue of any sale or sales upon writ or writs of *venditioni exponas*, or other writ or process of law, by the provost-marshal or any of his lawful deputies, or the issue and increase of any such slave or slaves, and who have been in the peaceable possession, without suit, claim, or interruption, for the space of seven years next before the making of this act, or shall continue in such peaceable possession from the first possessing of the same, by themselves or those under whom they claim, for and during the space of seven years, shall have, hold, and enjoy, the same, in fee-simple, against all persons whatsoever, and give this act in evidence, or plead it in bar, in or to any replevin, or other suit or suits, to be maintained or brought against him, her, or them; by any person or persons whatsoever, and against all and every claim and demand whatsoever: ~~Provided~~ nevertheless, That infants; women under coverture, persons of *nonsane* mind and memory, and persons out of this island

Purchasers of slaves under writs, holding them seven years, secured in their title.

Exceptions for incapable persons.

if actions
brought in
stated times
after they
become ca-
table.

Titles in re-
version not
barred
hereby.

island, shall have liberty, by themselves, their agents, or attorneys, to commence their actions in replevin for such negro or other slaves, or the issue or increase of any such negro or other slaves, within such times after the disability removed as are respectively herein after limited; that is to say, infants, within five years after they come to the age of twenty-one years; women under coverture, within five years after the death of their immediate husbands; persons of unsound mind or memory, within five years after they become of sound minds and memories; and persons of full age out of this island, within five years from the time of such sale or purchase; or otherwise such persons are hereby declared to be barred for ever according to the true intent and meaning of this act; any law, custom, or usage, to the contrary notwithstanding: **Provided always,** That nothing in this act shall extend, or be construed to extend, to bar the rights of any person or persons intitled in reversion, remainder, or expectancy; but that all and every such person or persons, so intitled in reversion, remainder, or expectancy, shall be at liberty to prosecute such rights within five years after his, her, or their title shall accrue."

No hire to be
paid for slaves
so purchased,
if held twelve
months.

Clause 2.---" That, from and after the passing of this act, no person or persons whatsoever, who have or hath been, for the space of twelve months next before the passing thereof, in the peaceable possession, without suit, claim, or interruption, of any negro, mulatto, or other slave or slaves, or of the issue or increase of any such slave or slaves, or who shall, at any time or times hereafter, hold or possess any such slave or slaves, or the issue of any such slave or slaves, by virtue of any sale or sales, upon writ or writs of *venditioni exponas*, or other writ or process of law, by the provost-marshal or any of his lawful deputies, or by descent, marriage, or purchase, for valuable consideration, shall be liable to pay any hire, rent, or other satisfaction, by way of mesne profits, for any such slave or slaves, for the time or times he, she, or they, held or possessed the same, or for any part thereof; any law, custom, or usage, to the contrary in anywise notwithstanding."

CAP. 14.

Slaves, cattle,
implements,
&c. levied
on, not to be
removed from
properties.

Enacts, Clause 1.---" That, from and after the passing of this act, the provost-marshal, or his deputy or deputies, shall not remove or carry away, off or from any estate or estates, plantation or plantations, property or properties, any levy or levies which he or they, or any of them, shall or may make of or on any negro or negroes, or other slave or slaves, mule or mules, cattle, stock, waggon, wain, or other carriage, plantation utensil, or implement of planting;

Reg: Provided, The defendant or defendants in the writ or writs on which such levy or levies is, are, or shall be, made, his, her, or their, overseer or overseers, attorney or attorneys, trustee, or trustees, executors, administrators, or other representative or representatives, or the mortgagee or mortgagees, or other person claiming title to such levy or levies in virtue of some mortgage or other prior incumbrance, his, her, or their, overseer or overseers, attorney or attorneys, trustee or trustees, executors, administrators, or other representatives, do and shall, within five days after such levy or levies so made, produce and shew to the provost-marshal, or his deputy or deputies making such levy or levies, a docket, duly attested, of such mortgage or other incumbrance, together with an affidavit of such defendant or defendants, his, her, or their, overseer or overseers, attorney or attorneys, trustee or trustees, executors, administrators, or other representative or representatives, or of the mortgagee, or other person claiming title to such levy or levies, in virtue of such mortgage or other prior incumbrance, his, her, or their, overseer or overseers, attorney or attorneys, trustee or trustees, executors, administrators, or other representative or representatives (such affidavit to be sworn before any of the judges, or any justice of the peace), that, to the best of his, her, or their knowledge, information, and belief, such negro or negroes, or other slave or slaves, mule or mules, cattle or stock, waggon, wain, or other carriage, plantation utensil, or implement of planting, whereon such levy or levies is, are, or shall be, made, is or are comprized and included in such mortgage or other incumbrance, a docket or dockets whereof shall be so produced as aforesaid, or is or are the increase of the same, and that such mortgage or mortgages, or other incumbrance or incumbrances, is or are prior to the execution or executions on which the writ or writs issue or issues whereon the levy or levies is, are, or shall be, made; which affidavit shall be in the form following; that is to say,

if, within five days after levy made, they are attested to be subject to prior incumbrances,

I, A. B. of the parish of _____ in the said island, owner, (overseer, trustee, &c. as the case may be) do swear, that the several negro and other slaves following; viz. (here name the slaves, and set forth the particulars of the levy, whether negroes, mules, cattle, stock, or plantation utensils, as the case may be) levied on by deputy-marshal for the said parish, on the _____ day of _____ instant (or last past, as the case may be) on a writ of *condemni exponas*, at the suit of _____ against _____ (or by virtue of a writ of *replevin*, as the case may be) are, to the best of this deponent's knowledge, information, and belief, either comprized and included, or are the increase of negroes and stock comprized

(which attestation is to be in this form.)

prised and included, in a certain indenture of mortgage or other incumbrance, bearing date the day of from to an attested docket whereof this deponent produced to the said deputy-marshal at the time of his making the aforesaid levy (or as soon after as this deponent had an opportunity of so doing, as the case may be); And this deponent further saith, that, to the best of his knowledge and belief, the said indenture of mortgage or other incumbrance is prior to the execution on which the writ of venditioni exponas was issued, whereon the aforesaid levy was made;

and an acknowledgment is made of the levy, with a conditional engagement for its forthcoming.

and do also, at the same time, give to the provost-marshal, or deputy marshal making such levy, an acknowledgment and engagement, in writing under his or their hand or hands, that such levy has been made, and that the same remains in his, her, or their, hands, and shall be produced or delivered over to such provost-marshal, or his deputy, on the first Monday in the next succeeding grand court, in case no replevin shall be filed and lodged for the same by the person or persons claiming title thereto under such mortgage or other prior incumbrance, as aforesaid, on or before that day; and, in case any such replevin shall be filed and lodged, then that the same levy, or such part thereof as shall not be recovered by the plaintiff or plaintiffs in such replevin or replevins, shall, within five days after the trial of such replevin or replevins, be delivered over to the provost-marshal, or his deputy or deputies, in order that the same may be sold, if the court shall so order it; which acknowledgment or engagement shall be in the form following; that is to say,

Form of the acknowledgment.

I, A B. of the parish of in the said island, owner, (overseer, trustee, &c. as the case may be) do hereby acknowledge, that deputy-marshal for the parish of aforesaid, did, on the day of instant (or last past, as the case may be) levy on (here set forth the names of the negroes, and the particulars of the levy) in my possession, on a writ of venditioni exponas (if more than one, mention them) at the suit of against (or, by virtue of a replevin at the suit of against as the case may be): And I do also acknowledge, that the said levy, so made as aforesaid, remains in my hands and possession, and that I hold the same ready to be delivered over to the provost-marshal, or his deputy, agreeable to a law of this island in such case lately made and provided. Given under my hand, this day of one thousand seven hundred and

Provided

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Provided also, That such replevin shall be tried within one court next after the court for which the same is brought, unless the plaintiff or plaintiffs is or are prevented from trying the same by such cause as shall, upon affidavit, appear sufficient and satisfactory to the said supreme court."

Replevin to be tried the court next after that for which it is brought.

Clause 2.---"That if any person or persons, who shall have given such acknowledgment and engagement as is hereby directed, shall refuse, decline, or omit, producing and delivering over such levy or levies at the time and for the purpose hereby declared, and the same shall be made appear to the judges of the supreme court of judicature, all and every such person or persons, so refusing, declining, or omitting, is and are hereby made liable to be proceeded against by the said supreme court; and the judges thereof for the time being are hereby empowered, required, and directed, to proceed against them accordingly, by attachment, fine, imprisonment, or in such other manner as to the said court shall seem most proper and expedient."

Engagement not being fulfilled, defaults to be proceeded against by grand court.

Clause 3.---"That if, in the absence of the mortgager, mortgagee, or other person in possession of the estate or property upon which any such levy or levies as aforesaid shall be made, any overseer, or other person resident or employed on any such estate or property, shall give any such engagement or acknowledgment as is hereby directed, the mortgager, mortgagee, or other person in possession as aforesaid, shall [be], and he, she, and they, are hereby bound thereby, in the same manner as if, he, she, or they, had actually signed and given such acknowledgment and engagement, and be liable to be proceeded against by the said supreme court of judicature in the manner aforesaid."

Principal answerable for the engagement, though given by an agent.

Clause 4.---"That, although it is hereby enacted that no levy, so to be made of negro or other slaves, mules, steers, cattle, or other stock, wains, waggons, or other carriages, plantation utensils, or implements of planting, so under mortgage, shall be removed from the plantations or properties to which they belong, yet that the same shall, from the time or times of making such levy or levies, be deemed and considered as in the custody of the provost-marshal, or deputy-marshal who shall have made the same: **Pro-**
vided nevertheless, That no such provost-marshal, deputy or deputies, shall, for or on account or by reason of any such levy or levies, be entitled to, or demand or receive, any consideration by way of gaol-fees, or other fees or charges whatever, until such levy or levies shall be delivered over to be sold (in case that shall happen

Though such levies may not be removed, they are to be considered in the custody of the marshal.

Limitation of marshal's fees.

C

to

to be the case, as aforesaid), and then to gaol-fees only from the time or times of such levy or levies being delivered into his or their possession, so to be sold as aforesaid, and to such other fees as the provost-marshal is legally intitled to upon the sales of levies."

When replevin brought against marshal for such levies, producing them not necessary,

proving they are also mentioned in the prior incumbrance being sufficient.

Clause 5.---" That, in all cases where a replevin or replevins shall be brought against the provost-marshal, or any of his deputies, for any levy or levies by him, them, or any of them, made, by any person or persons claiming title to such levy or levies as aforesaid, and in case such replevin or replevins shall be pleaded to, it shall not be necessary, at the trial of such replevin or replevins, to produce the negro or other slaves, cattle, stock, waggons, wains, carriages, utensils, or implements, for which such replevin or replevins shall be brought; but the mortgager or mortgagers or any person or persons claiming under him, her, or them, or any other person or persons whatsoever, save and except the plaintiff or plaintiffs in such replevin, or any person or persons claiming or to claim under him, her, or them, proving, at the trial or trials of such replevin or replevins, or under any commission in such cause, or rule of court, that the negro or negroes, slave or slaves, mules, cattle, stock, waggons, wains, carriages, utensils, or implements, mentioned in such replevin or replevins, are also mentioned, comprised and contained, in the indenture of mortgage or other incumbrance then produced, shall be, and the same is hereby declared, sufficient proof of the identity of such slave or slaves, mules, cattle, stock, waggons, wains, or other carriages, utensils or implements; any law, custom, or usage, to the contrary thereof, in any wise notwithstanding."

ANNO 25^o GEORGII III. CAP. 8.

Slaves having committed crimes, and being afterwards manumitted, not to be tried otherwise than as slaves, nor to derive any benefit from manumission, unless proof brought of its being recorded before crime committed.

Enacts, " That, from and after the passing of this act, no negro, mulatto, or other slave or slaves, hereafter to be manumitted, being a slave or slaves at the time of the commission of any crime or offence whatsoever for which he, she, or they, shall stand charged, shall be tried and adjudged in any other manner and form than such in which slaves are, by the laws of this island, directed to be tried; nor shall any negro, mulatto, or other slave or slaves, hereafter to be manumitted, derive, receive, or be allowed, any benefit or advantage whatsoever, on his, her, or their, trial or trials, for or in respect of any manumission or manumissions, purporting to be granted to him, her, or them, by his, her, or their, owner or owners, unless it shall be fully proved, at such trial or trials, by such slave or slaves, manumitted or pretending so to be, that the manumission or manumissions of which he, she, or they, would avail him, her, or themselves, was

or

or were actually executed and recorded in the office of the secretary of this island, and a certificate thereof granted by the commander in chief of the said island for the time being, prior to the time of the commission of the crime or offence with which such slave or slaves, manumitted, or pretending so to be, shall stand charged: *Provided always*, That such slave or slaves, manumitted or pretending so to be, be charged with such crime or offence, within three months next from and after the commission of any such crime or offence as aforesaid; any thing in the said in part recited law, or in any other law, to the contrary, in anywise notwithstanding."

Charge must be brought within three months after offence.

CAP. 17.

Enacts, Clause 2.---" That, from and after the passing this act, if any slave is carried from this island, in any ship or other vessel, though unknown to the captain, commander, or master, of such ship or other vessel, at the time of his departure, such captain, commander, or master, shall nevertheless be liable to pay, to the owner or proprietor of such slave, the sum of five hundred pounds, unless such captain, commander, or master, does, on his arrival at the port to which he is bound, secure such slave, and send him or her back by some good opportunity, or unless he brings back such slave in his ship or vessel on his return, and delivers him to the owner, or to such person as shall have power to receive him for such owner."

Captains carrying off slaves unknowingly, to forfeit £500, unless they bring them back.

Clause 3.---" That if any captain, commander, or master, of a ship or any other vessel whatsoever, shall wilfully and knowingly carry away a slave from this island, without the consent of the owner, proprietor, or manager, of such slave, on conviction thereof, he shall be adjudged guilty of felony, and suffer death accordingly."

Carrying off slaves wilfully, declared felony.

Clause 4.---" That the several penalties, in this act mentioned, shall be to the informer; to be recovered by action of debt, bill, plaint, or information, in the supreme court of judicature, or in either of the assize courts of this island, wherein no *essoin*, protection, or *wager of law*, shall be allowed, or *non vult ulterius prosequi* be entered; any law, custom, or usage, to the contrary, in anywise notwithstanding."

Penalties to go to the informer. Recovery thereof.

ANNO 29th GEORGII III. CAP. 12.

Enacts, Clause 8.---" That slaves shall, in no case be distrained, on (*for quit-rents*) by such collecting constable or constables, where any other distress can or may be had."

Slaves not to be levied on for quit-rents.

CAP. 14.

Slaves laying
nuisances on
highways, &c.
to be appre-
hended, and
detained in the
workhouse till
a penalty of £1.
is paid.

Enacts, Clause 2.---“That it shall and may be lawful for any person or persons to apprehend, or cause to be apprehended and secured in the nearest workhouse, any negro or other slave who shall be detected in laying on any of the said highways, or on any place within one hundred yards of the same, the carcase or carcasses of any dead horse, mare, mule, ass, or horned beast, or in conveying to the said highways any filth or other annoyance, whereby the lives or healths of his majesty's subjects may be affected; and on information being made, on oath, before any one of his majesty's justices of the peace, that the negroes so apprehended and secured were guilty of such offence, it shall and may be lawful for such justice, and he is hereby required, to issue his warrant to the overseer or supervisor of the workhouse in which they are secured, authorizing and directing him to detain all such negro or other slaves until the master, owner, possessor, or employer, shall pay the said sum of five pounds, together with costs attending such complaint, not exceeding ten shillings, and the workhouse fees.”

ANNO 30^o GEORGII III. CAP. 2.

When trial in
replevin for
slaves, horses,
&c. put off at
the instance of
the person not
having them
in possession,
and they are
produced, or
in custody, an-
nounce court to
award reason-
able recom-
pense.

Enacts, Clause 1.---“That whenever it shall happen that any negro or other slave, or any horses, mules, asses, or neat cattle, or other goods and chattels, shall be produced by the plaintiffs or defendants in the said supreme court of judicature, or courts of assize, in obedience to any writ of replevin, or to any subsequent process grounded upon such writ, or to any rule of the said supreme court made thereon, or shall be in custody of the provost-marshal by virtue of the said process or orders, and the trial of such writ of replevin shall be put off on the motion of such plaintiffs or defendants, not having the custody of such negro or other slaves, or of the horses, mules, asses, or neat cattle, or other goods and chattels, it shall and may be lawful for the said supreme court of judicature, at the discretion of the said court, according to the exigency of the case, to adjudge and award a reasonable recompense to be made to the party injured, by the party putting off such trial, for the expences and charges of bringing such negro and other slaves, and such horses, mules, asses, and neat cattle, to the said supreme court or courts of assize respectively, and of maintaining them there, and carrying them back to the place from whence they were brought, and all expences and charges attending the producing any goods or chattels at such supreme court or courts of assize, and to compel the payment of the same by attachment, or by any other summary method which the said supreme court shall think proper.”

Clause.

Clause 2.---“ That when any negro or other slave, or any horses, mules, asses, or neat cattle, or other goods and chattels, shall be produced to the said supreme court or courts of assize respectively, after an eloinment on the said writ of replevin, or a *nulla bona* on a writ of *withernam*, or *non est inventus* on a writ of *capias in withernam*, shall be returned; in such cases, the party producing them shall not be intitled to the benefit of the recompense by this act herein before granted, in such court or term wherein either of the said returns shall be made, in case the plaintiffs shall not go to trial in such court or term, or the subsequent courts of assize respectively: **Provided also**, That when any plaintiff or defendant in replevin, not having the custody of the negro or other slaves, or of the horses, mules, asses, or neat cattle, or other goods or chattels mentioned in such replevin, shall give notice in writing to the party having the custody of the same, six days before any supreme court or term, or courts of assize respectively, that he doth intend to come to trial on such replevin in the same court or term, or courts of assize respectively, then, and in such case, if such plaintiff or defendant, having the custody of such negro or other slaves, or of such horses, mules, asses, or neat cattle, or other goods or chattels, shall produce them to the supreme court, or courts of assize respectively, immediately ensuing such notice, such plaintiff or defendant shall not be entitled to any recompense by this act granted and allowed for producing, maintaining, and carrying them back to and from the said courts, or for producing any goods or chattels, in the said court or term for which notice shall be given.”

If produced after an eloinment on writ of replevin, &c.

or if person not holding possession give notice of trial six days before the court, and they are immediately produced, no recompense to be given.

Clause 3.---“ That when any negro or other slaves, or any horses, mules, asses, or neat cattle, or other goods or chattels, shall be in custody of the provost-marshal upon any writ of replevin, or any subsequent process or rule of court grounded thereon, and the trial of such replevin shall be put off, the fees for detaining such negro or other slave, and such horses, mules, asses, or neat cattle, or other goods or chattels, shall be paid by the party on whose motion such trial shall be put off.”

If slaves, &c. in custody, provost marshal's fees to be paid by the party putting off the trial.

Clause 4.---“ That on all trials on writs of replevin, wherein judgment shall pass for the defendant, or the plaintiff shall become nonsuit, it shall and may be lawful for the supreme court of judicature, at the discretion of the said court, according to the exigency of the case, to adjudge and award a reasonable recompense to be paid by the plaintiff to the defendant, over and above the usual costs of suit, for the charges, expences, and losses, such defendants

Supreme court to award recompense to defendants where judgment shall pass for them, or plaintiffs be non-suited.

dants shall sustain, by reason of bringing and producing the negro or other slaves, horses, mules, asses, or neat cattle, or other goods or chattels mentioned in the said replevin, to the said supreme court, and courts of assize respectively, and of maintaining and keeping them there, and of leading or carrying them back to the place from whence they were brought; and to compel the payment of the same by attachment, writ of execution, or other process, or By any summary method which the said supreme court shall think proper."

ANNO 32° GEORGE III. CAP. 4.

Enacts, Clause 5.---That the evidence of slaves against maroon negroes, in all cases, shall be received.

Slave evi-
dence good
against ma-
roons.

Superintend-
ent, &c. not to
permit any
large assem-
blies of slaves
in the day,
nor any meet-
ings in the
night,

under pain of
being broke.

Proviso

Complaint to
be made in
ten days.

Maroons in-
veigling or
harbouring
slaves to be
transported.

Slaves pur-
chased by
them to be
forfeited.

Clause 10.---" That if any superintendent, or, in his absence, any negro maroon officer, having the command of any negro-town, shall knowingly suffer and permit a large concourse of slaves in the day-time, or nightly meetings of slaves, in the said town, or settlements belonging thereto, and shall not make every exertion in his power to prevent the same, the said superintendent or negro maroon officer, shall, upon complaint thereof to the commander in chief, by any two justices of the peace for the precinct in which such negro-town is included, be tried by a court-martial, to be appointed by the commander in chief; and, if convicted of the offence, such superintendent, or maroon negro officer, shall be broke, and another appointed in his place by the commander in chief: **Provided** always, That nothing herein contained shall be construed to prevent the maroon negroes from having dances among themselves in the night, or even with a small number of the slaves of neighbouring plantations, provided it be between sun-rise and sun-set: **And provided nevertheless,** That the information shall be given to the commander in chief, on oath, and within ten days after such unlawful meeting."

Clause 11.---" That any of the negroes, belonging to any of the negro-towns in this island, who shall entice or persuade any slave or slaves to run away from their several and respective owners, or receive and harbour any runaway slaves, and be thereof convicted, in manner and form as aforesaid, shall be transported off this island."

Clause 13.---" That no negro belonging to any of the negro-towns in this island shall purchase or buy any slave or slaves whatsoever, under the penalty of forfeiting such slave or slaves to his majesty: And if any merchant, factor, or other person whatsoever, shall knowingly

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knowingly sell or give any slave or slaves to any negro belonging to either of the negro-towns in this island, or to any other person in trust for or to the use of the aforesaid negroes, every such merchant, factor, or other person, shall, for every negro so sold or given, forfeit the sum of one hundred pounds; and every person who shall purchase, or be concerned in the purchase of, any slave or slaves, in trust for any of the said negroes belonging to the said negro-towns, shall forfeit the like sum of one hundred pounds."

Persons selling slaves to them, or buying any in trust for them, to forfeit 100*l*.

Clause 15.---"That a reward, not exceeding forty shillings, besides mile-money, shall be paid for every runaway negro or other slave taken by them while on party, and a reward, not exceeding twenty shillings, for every runaway taken by a maroon or maroons, when not on party, which rewards shall be adjudged by any magistrate: And if the owner or owners, or person having the charge of such runaway negro or other slave, so taken by a maroon or maroons, shall refuse to pay the reward and mile-money so adjudged, any magistrate is hereby authorized and directed, under a penalty of twenty pounds, on complaint thereof being made, on oath, by the superintendent of the town to which such maroon or maroons shall belong, to issue a distress warrant, directed to the constable of the precinct, to levy on the goods and chattles of the owner or owners of such runaway negro or other slave; any law, custom, or usage, to the contrary in anywise notwithstanding: **Provided** always, That no maroon shall be intitled to receive more money than one shilling *per* mile for the first five miles, and six pence for every mile exceeding that, either to the next workhouse, or to the proprietor's house next adjoining the spot where he took up the negro or other slave."

Maroons to have 40*s*. and mile-money for every runaway they take when on parties; and 20*s*. for those taken when not on parties. If payment refused, magistrate, under penalty of 20*l*. to issue a distress warrant.

Rates of mile-money they are to be paid.

CAP. 11.

Enacts, Clause 7.---"That so soon as the said president, guardians, and governors, of the said workhouse, shall have provided a proper place for the reception of all such rogues, vagrants, vagabonds, sturdy beggars, and other disorderly persons, and also of all idle and runaway negroes, public notice thereof shall be given, by advertisement in the public papers, and a day fixed; after which, all such disorderly persons shall be received therein, as well as all idle and runaway negroes: And the said president, guardians, and governors, are hereby authorized to hire out to labour, for the most they can obtain, the said idle and runaway negroes and other slaves, to work in the streets and lanes of the said town, to make or to amend the public roads in such parishes, or to work at any public or private edifice, and, in general, to work them to the greatest

When work-houses are ready, they are to be advertised; and vagrants, &c. as well as runaway slaves, received. Runaways to be employed in mending roads, or at buildings, &c.

Proceeds to be applied to the maintenance of the workhouses ; and overplus go to the hospital.

greatest advantage, either within or out of the said workhouse ; and that the profits and advantages that shall arise from the labour of such disorderly persons, or such idle and runaway slaves, shall be applied towards the support and maintenance of the said public workhouse : And in case any surplus shall arise after such support and maintenance, then such surplus shall be applied towards the support and maintenance of the sick, maimed, infirm, and disabled ; transient poor in the public hospital of the said parish."

Supervisors to pay rewards and mile-money for runaways, as marshals have hitherto done ;

which are to be repaid when they are taken out, together with 6d. per day for maintenance, and 2d. for medical care.

Clause 8.---" That all laws now in force binding on the provost marshal or any of his deputies, or on the keeper of any gaol in this island, for the payment of any reward or mile-money for the apprehending or conveying to gaol any runaway slaves, shall be equally binding on the supervisor or intendant of the said public workhouse, or on the person or persons appointed to manage the same by the president, guardians, and governors thereof, who shall pay such reward or mile-money as the same is or shall be regulated by any law of this island ; and all such rewards and mile-money, so to be paid by the president, guardians, and governors, or by the supervisor or intendant, or by the persons so appointed by the said president, guardians, and governors, shall be repaid them by the master, owner, or proprietor of such slave, together with six pence *per day* for every twenty-four hours such slave or slaves shall have been in custody for maintenance, and two pence for medical care, before such owner, master, or proprietor, shall be authorized to receive him, her, or them, from the public workhouse."

Felons to be kept separate from other slaves.

Clause 10.---" That all such slaves as are and shall be committed to the said public workhouse, under sentence of a slave-court, shall be fed and lodged separate and apart from the other slaves in the said workhouse ; and that a slave, sent to the workhouse either by order of his master, owner, or possessor, or under the commitment of one or two justices of the peace, shall never be chained with a slave committed for a felony."

Supervisor not to receive infirm slaves sent by their owners ;

Clause 11.---" That it shall be lawful for the supervisor or overseer, appointed by the president, guardians, and governors, of a workhouse, to refuse to admit into the said workhouse such slaves as may be sent to the said workhouse by their master, owner, or possessor, or any person acting for or under them, or either of them, whenever the surgeon of the said workhouse shall, upon view of such slave or slaves, declare, in writing under his hand, that such slaves or slaves is or are not able to undergo hard labour, either from age, sickness, or infirmities : ~~Provided nevertheless,~~ That

That nothing in this act shall prevent such supervisor or overseer from receiving such wandering, sick, aged, or infirm, slave or slaves, committed to such workhouse by any one justice of the peace in this island, there to be clothed, lodged, and fed (but not worked), at the expence of the master, owner, or possessor, of such slave or slaves."

but he may receive and feed, but not work, such as are committed.

Clause 12.---"That the president, guardians, and governors, of every such workhouse, shall cause the supervisor or overseer of the same to make out a just and true list, upon oath, of all such wandering, sick, aged, or infirm, slaves as shall have been committed to such workhouse, together with a copy of the commitment, and an account of the fees due to such workhouse for such wandering, sick, aged, or infirm, slave or slaves, and to deliver the same to the presiding magistrates at each of the courts of quarter sessions to be holden for the parish or precinct where such workhouse shall be situate: And such magistrates, so presiding at such courts of quarter-sessions as aforesaid, are hereby authorized, empowered, and required, to enquire whether the master, owner, or possessor, of such wandering, sick, aged, or infirm, slave or slaves, has or have been proceeded against in such manner as is provided and directed by the fourth clause of an act passed in the year of our Lord one thousand seven hundred and eighty-eight, entitled, "*An act to repeal an act entitled, "An act to repeal several acts, and clauses of acts, respecting slaves, and for the better order and government of slaves; and for other purposes;" and also to repeal the several acts, and clauses of acts, which were repealed by the act entitled as aforesaid; and for consolidating, and bringing into one act, the several laws relating to slaves; and for giving them further protection and security; for altering the mode of trial of slaves charged with capital offences; and for other purposes;* and, if no such proceedings have been had or taken against such master, owner, or possessor, of such wandering, sick, aged, or infirm, slave or slaves, then the said magistrates, presiding at such court of quarter-sessions, as aforesaid, are hereby authorized, empowered, and required, to cause such master, owner, or possessor, his, her, or their, attorney or agent, and such other persons as they shall judge necessary, to be summoned, to be and appear before them at their next court of quarter sessions, to enable them to judge and determine whether such master, owner, or possessor, ought to incur the penalty of ten pounds, inflicted on him or them by the said fourth clause of the said recited act, and accordingly to compel the same to be levied on the goods and chattles of the said master, owner, or possessor, of such wandering, sick, aged, or infirm, slave or slaves,

List of Infirm slaves, and their fees, to be given in at quarter-sessions.

Magistrates to enquire if owners have been proceeded against as directed by 29 Geo. III. cap. 2,

which act is expired, but the clause re-enacted by 37 Geo. III. cap. 28, cl. 13.

If they have not, they are to be summoned for next court, that the matter may be enquired into,

and either have the penalty of 10^l. levied on them, or be acquitted.

If it appear
any justice had
neglected his
duty in the bu-
siness, he is
to be fined 20*l*.
as ordered by
said act.

slaves, by warrant of distress under their hands and seals, directed to any one or more lawful constable or constables, or to acquit and discharge such master, owner, or possessor, according as to such presiding magistrate shall seem right and proper to be done : And if it shall appear to such magistrates, presiding at such courts of quarter-sessions as aforesaid, that any justice of the peace, of the parish or precinct where such quarter-sessions shall be held, hath refused, declined, or neglected, to do the duty required of him by the said clause of the said herein before-recited act, then, and in such case, the said magistrates presiding in such courts of quarter-sessions, as aforesaid, shall adjudge and determine such justice, so having refused or declined to do his duty in the premises, to have incurred the penalty of twenty pounds, imposed on him by the said recited act, for such his neglect of duty therein, and to cause the same to be levied upon the goods and chattles of such justice, so neglecting his duty as aforesaid, by warrant under their hands and seals, to be directed to any one or more lawful constable or constables."

Slaves not to
be confined
above three
months, unless
by sentence,
&c. At the
end of that
time, they are
to be adver-
tised eight
weeks for sale.

Proceeds to
go to support
of the work-
house.

Receipt of the
president, &c.
to be a good
conveyance.

Clause 13.---" That no slave whatsoever shall be confined or kept to hard labour in any public workhouse in this island for a longer space of time than three calendar months, except under and by virtue of the judgment or sentence of a slave-court, or warrant of any two justices of the peace ; at the end or expiration of which space of time the president, guardians, and governors, of any workhouse where a slave shall have been so confined, are hereby empowered, directed and required, to cause the height, name, marks, and sex, and also the country, where the same can be ascertained, of such slave, together with the name of his or her owner, or, if unknown, then the name of the person by whom such slave was committed, to be inserted for the space of eight weeks in the Gazette of Saint Jago de la Vega, the Royal Gazette of Kingston, and the Cornwall Chronicle, for public sale, at outcry, to the highest and best bidder, at the usual place of public sales in the parish where the said slave shall be so kept or confined ; and the monies arising from such sale, after deducting the fees due to the keeper or supervisor of the workhouse, and the expences of the said advertisements, shall be applied to the support and maintenance of the said workhouse : **And it is hereby declared,** That the réceipt of the president, guardians, and governors, of any public workhouse, to the person or persons becoming the purchaser or purchasers of any such slave, for the amount of the purchase money, shall be a good, valid, and effectual, sale or conveyance to such purchaser or purchasers, for any slave so sold, and the same shall be a final bar to
the

the title of the former owner of such slave, or those claiming under him, her, or them; any law, custom, or usage, to the contrary in anywise notwithstanding: **Provided nevertheless**, That infants, women under coverture, persons of nonsane mind and memory, and persons out of this island, shall have liberty, by themselves, their agents or attornies, to commence their action in replevin for such slave or slaves, or the issue and increase of any such slave or slaves, within such times after the disability removed as are respectively herein after limited; that is to say, infants within five years after they come to the age of twenty-one years, women under coverture within five years after the death of their immediate husbands, persons of unsound mind and memory within five years after they become of sound mind and memory, and persons of full age out of this island within five years from the time of such sale or purchase, or otherwise such persons are hereby declared to be barred for ever, according to the true intent and meaning of this act; any law, custom, or usage, to the contrary notwithstanding: **Provided always**, That nothing in this act contained shall extend, or be construed to extend, to bar the rights of any person or persons intitled in reversion, remainder, or expectancy, but that all and every such person or persons so intitled in reversion, remainder, or expectancy, shall be at liberty to prosecute such rights within five years after his, her, or their, title shall accrue: **Provided always nevertheless**, That if, at any time afterwards, within two years from the time of the sale of any such slave or slaves, the owner or owners, or persons claiming under them or any of them, of any such slave so sold as aforesaid, shall apply to the president, guardians, and governors, of any public workhouse, for the monies arising from the sale of any such slave or slaves, he, she, or they, so applying and proving to the said president, guardians, and governors, their former right or title to the slave or slaves in question, shall be, and they are hereby declared, intitled to receive from them the amount of the sale of such slave or slaves, first deducting the fees due to the workhouse, and fees of advertisement; and such president, guardians, and governors, are hereby required and directed immediately thereupon to pay over the balance of the said sale to such owner or owners, or persons claiming under them, or any of them."

and bar all claim of former owner.

Exception for incapable persons,

and those intitled to reversion, &c.

If owners apply within two years after sale, they are to receive monies slaves sold for, deducting all expences.

Clause 14.---" That no person or persons whatsoever, in possession of any slave or slaves, so purchased as aforesaid, or of the issue and increase of any such slave or slaves, or by descent, marriage, or purchase for valuable consideration, shall be liable to pay any hire, rent, or other satisfaction, by way of mesne profits, for any

Persons purchasing such slaves not liable to pay hire for the time they had them.

such slave or slaves, for the time or times he, she, or they, shall have held or possessed the same, or for any part thereof; any law, custom, or usage, to the contrary in anywise notwithstanding."

ANNO 36^o GEORGII III. CAP. 10.

Sending off
the island,
marking, or
defacing
marks of,
other persons
slaves, made
felony, with-
out benefit of
clergy;

Enacts, Clause 2.—"That, from and after the passing of this act, whosoever shall steal, or clandestinely carry or send off this island, any slave or slaves, the property of any person or persons, or shall mark, or cause to be marked, any slave or slaves, the property of another, or deface, or cause to be defaced, his, her, or their, mark, and being thereof convicted in his majesty's supreme court of judicature or courts of assize in this island, shall suffer death as a felon, and shall not be allowed the benefit of clergy."

as well as
stealing slaves
with intent to
send them off;

Clause 3.—"That, from and after the passing of this act, if any person or persons shall steal any negro or other slave or slaves, with an intent to transport or send such slave or slaves from this island, such person or persons so stealing such slave or slaves, with such intent as aforesaid, shall be liable to be indicted for such offence or offences at the supreme court of judicature, or either of the courts of assize in this island, according to the county in which such offence or offences shall be committed; and in case such person or persons, so stealing such slave or slaves, with such intent as aforesaid, shall be found guilty thereof, he, she, or they, shall suffer death for the same, without benefit of clergy: **Provided always,** That no attainder shall work any corruption of blood, loss of dower, or disherison of heirs; any law, custom, or usage, to the contrary notwithstanding."

but is not to
work corrup-
tion of blood.

Persons who
conceal, in-
veigle, &c.
the slaves of
others, to for-
feit 100*l.* and
be imprisoned;

but not if they
got possession
of them in a
regular man-
ner.

Clause 4 —"That whosoever shall hide, conceal, inveigle, entice, detain, knowingly harbour or employ, the slave or slaves of another, such offender, being thereof convicted, in manner herein after mentioned, shall, for every such offence, forfeit a sum not exceeding one hundred pounds for every negro or other slave so inveigled, hid, concealed, enticed, harboured, or employed, and shall be committed to the common gaol, without bail or mainprize, for a space of time not exceeding six calendar months, and until he, she, or they, shall have paid such fine as he, she, or they, shall be adjudged to pay: **Provided nevertheless, and it is the true intent and meaning of this act,** That no person shall incur any of the pains and penalties thereof, for hiding, concealing, detaining, or employing any slave or slaves which hath or may come into his or her possession in a regular manner, either by inheritance or devise, or as executor, administrator, trustee, guardian, attorney, or as a fair

fair purchaser for a valuable consideration; nor shall such person be liable to have such slave or slaves taken out of his or her possession by any power or authority granted by this act."

Clause 5.—"That whosoever shall hereafter, under colour or pretence of title or otherwise, take or detain out of or from the possession of another, any slave or slaves which hath been in his or their possession for the space of six calendar months, without due course of law, such offender or offenders, being thereof convicted, in manner herein after mentioned, shall, for every such offence, forfeit a sum not exceeding one hundred pounds for every negro or other slave so taken or detained as aforesaid."

Persons who, under pretence of title, detain slaves whom others have had for six months, to forfeit 100*l*.

Clause 6.—"That any person who now holds, or may hold, by lease from another, any slave or slaves, and shall detain or employ such slave or slaves after the expiration of the term mentioned in such lease, or, if hired by parol agreement, made in the presence of one or more witness or witnesses, shall detain or employ such slave or slaves after the time so agreed on be expired, and shall not deliver up such slave or slaves within fourteen days after a demand shall have been made before one or more witness or witnesses, for the return of such slave or slaves so leased or hired by agreement, shall be deemed an offender against this act, and suffer such pains and penalties as are inflicted on any person hiding, concealing, inveigling, detaining, knowingly harbouring or employing, the slave or slaves the property of another; unless it shall appear, upon oath, that such slave or slaves were then run away, or had absented themselves against the will of such lessee; and the oath of such lessee shall be taken, on such occasion, provided he will also, on oath, declare, that he will deliver up to the lessor such slave or slaves, whenever he, she, or they, shall be taken, and in his custody, power, or possession, and that he will use his endeavours to have him, her, or them, taken up."

Persons detaining leased slaves beyond the time, to suffer as inveiglers;

unless, at expiration of the term, the slaves are run away. Oath of lessee to be admitted.

Clause 7.—"That, upon any complaint made against any such offender, upon affidavit, to the chief justice, or to any of the judges of the supreme court of judicature, or to any justice of the peace for the parish or precinct where such offence shall be committed, it shall and may be lawful for the said chief justice or any of the said judges, or justices of the peace, to whom such complaint shall be made, to issue his warrant, directed to the provost-marshal or his lawful deputy, or to any constable, to apprehend and take up such offenders, and to bring him, her, or them, before such judge or justices, and him, her, or them, so brought, to examine, and com-

Chief Justice, &c. on complaint, to issue warrants to apprehend offenders, and commit them to prison, or admit them to bail, till trial;

mit

which must be
in ten days.

mit to prison, or admit to bail, as to such judge or justices shall seem requisite, until such time as a trial can be had upon the said offender or offenders, not exceeding the space of ten days."

Jury to be
summoned,
to meet where
parochial bu-
siness is trans-
acted, for trial
of offenders
within that
time

from which
jury no person
is to be ex-
empt.

Clause 8.—" That the judge or justices shall, immediately upon the commitment or bailment of such offender or offenders, issue his warrant, directed to the provost-marshal or his deputy, or to any constable, commanding him to summon twenty-four good and lawful freeholders of the parish or precinct where such offence shall be committed, to be and appear at the usual place of transacting the parochial business within such parish or precinct, at a certain day and time, not exceeding ten days from the said commitment or bailment, in the said warrant to be expressed, then and there to form a jury of twelve of the said freeholders, so to be warned as aforesaid, to inquire into the offence complained of, and whether the party or parties complained of be guilty or not guilty thereof; and that no freeholder or freeholders, bearing any office of any kind whatsoever, shall be exempted from being warned and serving as a juror or jurors for the purposes of this act."

Inveigled
slaves also to
be appre-
hended, that
they may be
produced at
the trial.

Clause 9.—" That the said judge or justices shall also issue a warrant to apprehend and take into custody the slave or slaves so harboured, inveigled, hidden, concealed, taken, detained, or employed, in order to their being produced, at the time appointed by such warrant, before the said judge or justices and the said jury; which warrant shall be directed to the provost-marshal or his lawful deputy, or any constable, who is hereby directed and required to execute the same."

Witnesses re-
fusing or
pleting to
attend, to be
fined, and
fine distrained
for;

and, in want
of distress,
their persons
imprisoned.

Clause 10.—" That, upon application to the said judge or justices, he or they shall also issue a warrant or summons to bring before such judge or justices, at such time as shall be appointed by the said warrant, all such persons who can give evidence, either for or against the party complained of, which warrant or summons shall be directed to such witness or witnesses as shall be required; which person or persons, and every of them so-summoned, neglecting or refusing to attend on the day and at the time and place in such warrant or summons mentioned, upon proof thereof being made upon oath, it shall and may be lawful for the said judge or justices to impose a fine, at their discretion, on such witness or witnesses, not exceeding the sum of fifty pounds, and forthwith to levy the same, by warrant under the hand of such judges or justices, by distress and sale of the offender's goods and chattels, or, for want of sufficient distress, to attach the body or bodies of such

such person or persons, and him, her, or them, to commit to safe custody, there to remain until he, she, or they, shall pay and satisfy such fine imposed; which warrant shall be directed to the provost-marshal or his lawful deputy, or to any lawful constable, who is hereby directed and required to execute the same."

Clause 11.—"That in case the testimony of any person or persons, being legal witnesses, and in the custody of the provost-marshal or his lawful deputy, shall be alleged to be material for either party, upon such complaint made upon oath, it shall and may be lawful to and for the judge or justices, before whom the same shall have been made, to direct the provost-marshal, or his lawful deputy, to produce such person or persons before the judge or justices, and jury, at the time appointed for the trial, there to give his, her, or their, testimony."

Provost-mar-
shal to pro-
duce such per-
sons in his cus-
tody as may be
deemed ma-
terial for exa-
mination.

Clause 12.—"That all such warrants or summonses as are directed to be executed by the provost-marshal or his lawful deputy, or by the constables, shall be returned to the said judge or justices, at the time and place mentioned and specified in such warrant, duly executed by the provost-marshal or his lawful deputy, or the constables, under the penalty of fifty pounds: **Provided never- theless,** That upon any reasonable cause shewn upon affidavit, by either the complainant or the party or parties complained of, or by some person or persons in his, her, or their, behalf, or, for want of jurors, it shall and may be lawful for the said judge or justices, from time to time to adjourn, not exceeding the space of ten days between each adjournment, and to issue all such other warrants or summonses for the witnesses and jurors, and the party complained of to recommit, or to take such further bail for his or their appearance, as the nature of the case shall or may require; or in case, through sickness or any other disability of the judge or justices, or either of them, to attend, it shall and may be lawful for any other judge or justices, to attend in the room of such judge or justices, and to proceed in the same manner as such judge or justices are directed by this act."

Warrants to
be duly re-
turned, under
penalty of 50*l*.

Magistrates
may, on good
cause, adjourn
from time to
time, not ex-
ceeding ten
days at each
adjournment.

Clause 13.—"That the chief justice, or any assistant judge of the supreme court of judicature of this island, or any two justices of the peace, shall have full power and authority to proceed to trial, and to carry this act into execution: And that when and as often as any such complaint shall be made to any justice of the peace, of the parish or precinct where such offence shall be committed, such justice shall, under the penalty of fifty pounds, give notice to any justice of the peace, of such parish and precinct, to
associate

Chief justice,
&c. autho-
rized to carry
this act into
execution.
Complaint be-
ing made to
one justice,
he, under pe-
nalty of 50*l*.
must call in
an associate;

who, under
like penalty,
must assist.

Complaint to
be made in a
limited time.

Magistrates
empowered to
fine jurors not
attending.

Clerk of the
peace to at-
tend the trial
and draw up
the charge.

Clerk of the
peace to re-
cord in his of-
fice affidavits,
&c. but not
examinations.

Magistrates to
enquire into
the charge,
by the oaths
of twelve free-
holders.

Owners of in-
veigled slaves
allowed as
good evi-
dences, al-
though they
prosecute.

Jurors not to
depart till
they return
their inquest.

associate himself with him, on the day mentioned in such notice, then and there to act with him on the trial of such offender; which said justice shall, upon such notice as aforesaid, at the time of trial, associate and act together with the said justice in the execution of this law, under the penalty of fifty pounds upon such justice who shall refuse or neglect to do his duty in the premises: **Provided always**, That such complaint shall be made within twelve calendar months after the offence committed, otherwise such judge or justices shall and may dismiss such complaint."

Clause 14.---" That it shall and may be lawful for such judge or justices to impose such fines upon all and every the jurymen, being regularly summoned to attend at such trial, and who do not appear, as to the said judge or justices shall seem reasonable, not exceeding twenty pounds."

Clause 15.---" That the clerk of the peace for the time being, or his lawful deputy, shall attend at such trial, and shall prepare and draw up a charge in writing, in nature of an inquisition, against such offender or offenders, to be exhibited before such judge or justices at such trial."

Clause 16.---" That the said clerk of the peace, or his lawful deputy, shall enter in his office, upon record, all affidavits, warrants, inquisitions, and sentences, had, made, taken, or issued, by or before such judge or justices: **Provided always**, That no examination of witnesses, taken before the judge or justices upon the trial, is hereby required to be taken down or entered upon record."

Clause 17.---" That, the said charge being exhibited against the said offender or offenders, the said judge or justices shall enquire, by the oaths of twelve freeholders, chosen, as herein after is directed, out of the panel so returned by the provost-marshal or his lawful deputy, or constable, as aforesaid."

Clause 18.---" That the owner or owners, possessor or possessors, of such slave or slaves, being legal witnesses, shall be admitted and allowed, notwithstanding, he, she, or they, prosecute, as good evidences in all cases under this act; any thing in this or any other law to the contrary notwithstanding."

Clause 19.---" That, the whole of the evidence being finished, the said jurors shall not depart until they shall return their inquest to the said judge or justices."

Clause

Clause 20.---“ That, after the said jurors shall have returned their inquest as aforesaid, the said judge or justices shall thereupon proceed, as the case shall be, either to pronounce sentence of acquittal, or to award the several pains and penalties in this act before severally mentioned and set forth ; and shall also forthwith cause the slave or slaves to be immediately delivered over to the prosecutor, or him, her, or them, who shall claim the same : **Provided always,** That the inquest, found and returned as aforesaid, shall be final to all intents and purposes, and shall and may be a bar to any other charge that may be brought for the same offence.”

Inquest being returned, magistrates to pronounce sentence, and order delivery of the slaves.

Inquest to bar other charges.

Clause 21.---“ That the proceedings of the judge or justices upon this act shall not be removed by writ of *certiorari*, or otherwise, until after judgment thereon, and the commitment of the party or parties ; and that the proceedings had by virtue of this act shall not be set aside by the supreme court of judicature of this island, or courts of assize, for want of form.”

Proceedings not to be removed till after judgment, nor be set aside for want of form.

Clause 22.---“ That the clerk of the peace, or his lawful deputy, shall have, for his and their trouble in attending the said trial, the sum of one pound for each day's attendance upon the said trial, and the sum of five pounds for taking down and recording all the proceedings relative to the trial, as aforesaid ; and if he or they shall neglect or refuse to perform his or their duty in the premises, he or they shall respectively forfeit the sum of one hundred pounds.”

Fees of the clerk of the peace ;

who, on neglect of duty, is to forfeit 100*l*.

Clause 23.---“ That, in all cases where any acquittal shall be, the person complaining shall forthwith pay, to the defendant or defendants, the expences out of purse attending the said trial, to be settled and ascertained by the judge or justices who sat upon the said trial, if, from the circumstances of the case, it shall appear fitting to the said judge or justices to award the same, so as the whole of such charges and expence do not exceed the sum of fifty pounds ; and in case such party or parties shall refuse or neglect to pay the costs so to be awarded, that then it shall and may be lawful to and for the said judge or justices to commit the party or parties, so refusing or neglecting, to gaol, without bail or mainprize, until the said costs shall be fully paid and satisfied ; but, in case of conviction, the same shall be paid out of the fines, forfeitures, and penalties, laid and levied by the authority of this act.”

Expences awarded to be paid to the defendant, in case of acquittal ;

or prosecutor committed.

Clause 24.---“ That all fines, forfeitures, and penalties, imposed by this act, except such as are laid upon the justices for their neglect

Fines imposed by this act, how to be levied and applied.

E

glect

Fines on justices how to be recovered and disposed of.

glect, shall be raised, recovered, and levied, by warrant under the hands and seals of such judge or justices who sat upon such trial; directed to the provost-marshal or his lawful deputy, or to the constable, by distress and sale of the offender's goods and chattles, if such can be found, and, where no distress can be found, by imprisonment of the offender's body until such fine shall be paid and satisfied; and the money arising by such fine or distress shall be paid into the hands of the receiver-general for the time being, or his lawful deputy, by the person levying the same, within one month after the same is levied, under the penalty of forfeiting double the sum not paid in, deducting only thereout such sum as shall be awarded to the complainant upon such conviction, the costs of trial, and commission of five pounds *per centum* for levying the same, as also the sum of five pounds allowed to the provost-marshal's deputy, or to the constable, for executing the several warrants directed to them by virtue of this act: And all fines and forfeitures laid by this act upon the justices, for their neglect of duty, shall be recovered, by bill, plaint, or information, in the supreme court of judicature of this island, by any person or persons who shall sue for the same, wherein no essoin, imparlance, or wager of law, or *non vult ulterius prosequi*, shall be granted or allowed; the half of such penalties to be to our sovereign lord the king, his heirs and successors, for and towards the contingent charges of the government of this island, and the other half to the informer, or the person who shall sue for the same."

Prosecutor, if not examined as a witness, to have half the penalties;

if he is, the whole to go to the government.

Clause 25.---"That the party aggrieved by such offence, if he is not examined as a witness, shall receive, out of the fines and penalties inflicted by this act upon such offenders, one half of the said penalties, and the other half to be paid to his majesty's receiver-general, or his lawful deputy, for the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof; but in case the party aggrieved is examined as a witness, or gives his testimony, that then, and in such case, the whole of the fines and penalties inflicted by this act upon such offenders shall be wholly paid to his majesty's receiver-general for the time being, or his lawful deputy, for the use of his majesty, his heirs and successors, towards the support of the contingent charges of the government of this island, first deducting the charges of the prosecution,"

Clerk of the peace to draw the jury by ballot.

Clause 26.---"And, to render the trial more effectual, be it enacted by the authority aforesaid, That, upon such trial, the names of the jurors being called over according to the panel, the clerk of the

the peace, or his lawful deputy, shall transcribe from the said panels their names, each name upon a separate piece of paper, and shall fold the same up, and put them in a box, to be provided for that purpose; from whence he shall fairly, openly, impartially, and without any collusion, draw a jury of twelve of the said freeholders, in the nature of a ballot, in the same manner and form as the same is now practised in the courts of justice in that part of Great Britain called England."

Clause 27. -- "That it shall and may be lawful for the judge or justices, jurors, clerk of the peace or his lawful deputy, and the constables, and all witnesses summoned to attend by virtue of this act, in the several clauses in this act mentioned, to do their several and respective duties, notwithstanding martial law shall happen to be then in force; any law, custom, or usage, to the contrary thereof notwithstanding."

Martial law not to interrupt proceedings.

Clause 28. --- "That the complainant and complainants, defendant and defendants, and all and every person or persons bound or warned to serve as jurors, or summoned as witnesses, by virtue of this act, shall be protected in their persons from all mesne and judicial process, in their going to, attending at, and returning from, the said trial."

All parties attending these trials protected in their persons.

Clause 29. --- "That in case any person or persons shall be injured or aggrieved by any false or malicious prosecution, commenced or prosecuted against him, her, or them, by virtue and under colour of this act, such person or persons, so injured or aggrieved, shall and may be at liberty to bring and prosecute an action or actions upon the case, in the supreme court of judicature of this island, against any person or persons by whom they shall or may be so injured or aggrieved by such false or malicious prosecution; any law, custom, or usage, to the contrary notwithstanding."

Persons maliciously prosecuted to have redress in the supreme court.

Clause 30. - "That all and every the deputy-marshals and gaol-keepers who shall have any action in replevin brought against him for any negro or other slaves in his custody, and not taken upon *venditioni* or other process, such marshal or gaol-keeper shall, for every offence, under a penalty not less than five pounds nor exceeding fifty pounds, as shall be inflicted by the judges of his majesty's supreme court of judicature or courts of assize in this island, immediately after he receives such replevin, give notice in the public news-papers of such action, and at whose suit, and the

Replevins being brought against marshals for slaves, to be advertised four weeks previous to trials.

name of such negro or other slave or slaves, together with his, her, or their, marks, and the best information he can get concerning the real owners of such slave or slaves, and shall continue such notice for four weeks before the trial shall be had upon such replevin, or such slave or slaves be taken out of the custody of such marshal or gaol-keeper; the costs of which shall be paid to such marshal or gaol-keeper by the person who shall recover such slave or slaves."

Mortgaged slaves, &c. not to be sent off the island, without order of law, under the penalty of 100*l*.

Clause 31.—"That if any tenant by the courtesy of England, tenant in dower whilst a widow, or any second or other husband of such tenant in dower, or any tenant for life or years, or any mortgager, or any person claiming by, from, or under, him, shall send off from this island, except by order of law, or otherwise dispose of, any negro or other slave, held, enjoyed, or possessed, by him, her, or them, by the courtesy of England, in dower, or for life or years, or by any mortgager, or other persons claiming by, from, or under, a mortgager, without the consent of the mortgagee, his heirs or assigns, or of him, her, or them, in reversion or remainder, or of him, her, or them, to whom such negro or other slave, after the determination of such particular estate, should come to or descend, he, she, or they, so offending as aforesaid, shall, for every negro or other slave so sent off from this island, forfeit the sum of one hundred pounds to the mortgagee, or others claiming under him, her, or them, in reversion or remainder, or to whom such negro or other slave should or might come after the determination of such particular estate."

Persons letting houses to slaves, suffering them to build any, permitting them to work out without a licence, or go where they please, to forfeit 20*l*.

Clause 32.---"That if any owner or owners, employer or employers, of any such slave or slaves, or any other inhabitant of this island, shall, from and after the passing of this act, let or hire any houses, cottages, huts, or lodgings, to any such slave or slaves, or shall permit, encourage, or countenance them, or any of them, to build any dwelling house or houses, cottages, or huts, in any towns, savannas, waste grounds, lanes, roads, or paths, in this island, in order to hire themselves out to work, or to carry on any trade, shop, or employment, or shall wittingly, willingly, or knowingly, suffer any such slave or slaves to hire themselves out to work, or to follow any trade or employment, without the licence or consent, privity, knowledge, or direction, of their respective owner or owners, or the person or persons who have or hath the immediate care, government, and direction of such slave or slaves, under his, her, or their, own hand or hands, in writing, first had and obtained, and testified by one or more of his majesty's justices of the peace of the parish or precinct where the owner or owners, employer

employer or employers, of such slave or slaves do or shall inhabit, or shall contract or agree with any such slave or slaves for any certain sum of money, or other thing whatsoever, by the day, week, month, or year, or any greater or lesser time, and to go abroad where such slave or slaves shall think fit, in case they comply with their agreement, every such owner and owners, employer and employers, of any such slave or slaves, and all and every other person and persons whatsoever, having the care or direction of such slave or slaves, shall forfeit the sum of twenty pounds; one moiety or half-part thereof unto our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other half to the informer or informers, or him, her, or them, who shall sue for the same; to be recovered in a summary manner, before any one of his majesty's justices of the peace of the parish or precinct where the offence shall be committed."

Application and recovery thereof.

Clause 33.---" That, upon complaint made to any of his majesty's justices of the peace for the precinct where such offence shall be committed, of the setting up or building any such dwelling house or houses, cottages, or huts, in any town, savanna, waste grounds, lanes, roads, or paths, or of their having been already built or erected, every such justice of the peace is hereby authorized, empowered, and required, forthwith, to order and direct, by warrant for that purpose to all or any of the constables of the said parish or precinct, such houses, cottages, and huts, to be pulled down and destroyed, and, upon neglect or refusal, such justice of the peace shall forfeit the sum of fifty pounds; one moiety whereof shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to such person or persons who shall sue for the same; to be recovered in the supreme court of judicature of this island, in which suit no essoin or wager of law shall be allowed; any law, custom, or usage, to the contrary thereof in anywise notwithstanding."

Justices to order houses, &c. of slaves to be pulled down, under the penalty of 50*l.* for neglect or refusal.

Clause 34.---" That in case any person or persons committed to prison by virtue of this act shall escape, the provost-marshal-general, or his deputy, out of whose custody such person or persons shall escape, shall forfeit to his majesty, his heirs and successors, the sum of one hundred pounds, for and towards the support of the government of this island, and the contingent charges thereof, and likewise be subject and liable to pay the party or parties aggrieved all such sum and sums of money as the said prisoner or prisoners were condemned to pay "

Penalty of 100*l.* on the provost-marshal, if any person committed under this act escape from prison.

ANNO

ANNO 38^o GEORGII III. CAP. 23.

Judgments are to bind slaves as did formerly executions; which must be lodged, but no docket to be served; and if not lodged for next court, only to operate from teste of execution. (Expired.)

Enacts, Clause 3.---“That every judgment that shall hereafter be obtained in an action now depending, or hereafter to be brought, in the supreme court of judicature, shall bind slaves, if a judgment of the supreme court, on and from the first day of the court in which such judgment shall be obtained; and if a judgment of either of the courts of assize, on and from the first day of the supreme court next preceding the court of assize in which such judgment shall be obtained, in like manner as, before the passing of an act of this island, entitled, *An act for the ease and relief of jurors and suitors of the supreme and certain other courts within this island*, slaves were bound by a writ of execution returned *levied*: **Provided**, That a writ of execution shall be lodged upon such judgment, returnable the next supreme court that shall be held after such judgment obtained, otherwise the judgment shall only bind slaves from the teste of a writ of execution to be thereon lodged; but it shall not be necessary to have a docket of any such writ served, as has been heretofore by law required, and every such writ shall be of course returned *levied*.”

Sales of levies by deputy-marshals, under writs of venditioni, and by collecting constables for taxes, to be advertised.

Clause 8.---“That the provost-marshal-general, or his several deputies, shall, from and after the passing of this act, and they are hereby directed and obliged, under the penalty of five hundred pounds, for each and every neglect, to advertise in some public newspaper of this island, all negro or other slaves, cattle, and other property, levied upon by them, and intended to be sold upon writs of *venditioni exponas*, specifying the names of the parties, plaintiff and defendant, and the particulars of the levy; also that every collecting constable, under the same penalty, shall advertise, in manner aforesaid, the levies by them or him made in default of payment of taxes; which advertisements shall be twice inserted in some weekly newspaper, published nearest to the intended place of sale.”

CAP. 24.

Rector or curate to attend in church for the purpose of instructing free persons and slaves.

Enacts, Clause 5.---“That it shall be part of the duty of each rector or curate in this island, to appoint and appropriate a certain portion of time in each Sunday, either before or after the performance of divine worship, for the instruction of every free person of colour, and of every slave, who may be willing to be baptized and instructed in the doctrines of the Christian religion; and such rector or curate shall, during such portion of time, attend in his church, for the performance of this part of his duty.”

ANNO

ANNO 39^o GEORGII III. CAP. 13.

Enacts, Clause 8.—"That when any stray or strays are brought to any of the said pound-keepers by any slave or slaves, such slave or slaves, before he or they shall be entitled to receive the mile-money, directed to be paid by this act for any such stray or strays, shall produce a certificate in writing, directed to the pound-keeper, from the owner or employer of such slave or slaves, or from the overseer of the pen or plantation to which he or they shall belong; in which certificate shall be described the stray or strays so taken up, and the place where the same was or were taken up, as also the number of miles such stray or strays have been brought to be impounded; and leaving with the said pound-keeper such certificate, the said pound-keeper shall forthwith pay the mile-money, at and after the rate directed by this act, to such slave or slaves, under the like penalty as for non-payment of the mile-money herein before-mentioned; any thing in this act to the contrary in anywise notwithstanding."

Slaves carrying strays to pounds, must show certificates, before they are paid mile money.

CAP. 22.

Enacts, Clause 10.—"That it shall not be lawful for any collecting constable to distrain on any slave, where any other distress can or may be had."

Slaves not to be distrained on for taxes, if other distress to be had.

Clause 21.—"That the churchwarden or churchwardens of each and every parish of this island shall cause to be recorded in the secretary's office of this island every security bond, which shall be entered into and delivered to him or them, pursuant to an act, passed in the fifteenth year of his present majesty's reign, entitled, *An act for regulating the manumission of negro, mulatto, and other slaves; and to oblige the owners to make a provision for them during their lives*, by any person or persons manumizing any slave or slaves; and such churchwarden or churchwardens is and are, hereby, empowered and directed to refuse to sign any certificate of such security having been given, unless such bonds, when tendered to them, are duly proved, and the expence of recording them be at the same time fully paid to him or them."

Churchwardens to record in secretary's office security bonds granted according to 15 Geo. III. cap. 18. and no certificate to be signed, unless bond is duly proved, and expence of recording paid.

CAP. 29.

Enacts, Clause 1.—"That every person who now hath, or within six months from and after the passing of this act shall have, in his or her possession, in this island, as owner or proprietor, or in the right of any other person whatsoever, or under his or her care or management, as the representative of any owner or proprietor, absent from this island, any slave or slaves who, at any time since

All slaves who have resided in St. Domingo, or any other island, &c. belonging to, or under government of France, since 28d August,

the

1791, to be
exported with-
in six months,
under penalty
of 200*l.* for
each;

except such as
have been
certificated
under

35 Geo. III.
cap. 22,
(Expired.)

or 36 Geo. III.
cap. 19.
(Expired.)

as well as do-
mestic slaves
of French per-
sons in King-
ston or Port-
Royal, who
shall obtain
certificates.

No such slaves
to be sold, ma-
numised, or
purchased,
except for
exportation,
under penalty
of 500*l.*

the twenty-third day of August, in the year one thousand seven hundred and ninety-one, hath or have inhabited or resided, or in anywise shall have been living or abiding in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, shall, within the said space of six months from and after the passing of this act, export, or cause to be exported, off this island, every such slave as aforesaid, under the penalty of two hundred pounds, to be forfeited for each and every such slave as aforesaid, which shall be refused or neglected so to be exported within the time aforesaid; and to be recovered in the supreme court of judicature, or one of the courts of assize in this island; one moiety whereof shall be to the use of his majesty, his heirs and successors, for the support of the government of this island, and the other moiety to the person suing for the same: ~~Provided nevertheless~~, That nothing in this act contained shall extend or be construed to extend, to any such foreign slave or slaves, as hath or have been certificated, under the authority and by virtue of an act, entitled, *An act to provide further regulations for such slaves as have been admitted into this island; and to regulate the admission of slaves of a certain description*, passed in the year one thousand seven hundred and ninety-four, or of another act, entitled, *An act to prohibit the selling, purchasing, hiring, or employing, certain foreign slaves, except as therein mentioned*, passed on the twenty-fifth day of March, in the year one thousand seven hundred and ninety-six, within the time limited by the said acts respectively, by the clerk of the peace, or his lawful deputy, of any parish of this island, wherein the person owning or possessing such slave or slaves was, or resided, at such time; nor to compel the exportation of any domestic slave belonging to any French person, residing in either of the towns of Kingston or Port-Royal, who shall obtain a certificate for such slave, under the authority of the two sitting magistrates of the town of Kingston, from the clerk of the peace of the said town or precinct, in the manner by this act hereafter directed."

Clause 2.—“ That, from and after the passing of this act, it shall not be lawful for any person or persons whatsoever to sell or manumise, or to purchase, or to make or receive any conveyance of, any slave or slaves, of the description of slaves herein-before ordered to be exported, or by this act hereafter prohibited to remain or abide in this island, unless such sale and purchase, or such conveyance, shall be made *bonâ fide* for the express purpose of exporting the slave or slaves, so sold and purchased, or so conveyed, according to the directions of this act; and that every person selling, manumising,

SLAVE LAWS OF JAMAICA.

manumising, or purchasing, or making or receiving, any conveyance of, any such slave or slaves, contrary to the intention and meaning of this act, shall forfeit the sum of three hundred pounds for each slave so sold, manumised, purchased, or conveyed, to be recovered in the supreme court of judicature, or in one of the courts of assize in this island; one moiety whereof to be to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the person suing for the same."

Clause 3.—"That any sale or sales, or conveyance or conveyances, of such slaves, and any manumission of such slaves, as shall be made contrary to the true intent and meaning of this act, and also all such sales and manumissions of foreign French slaves, as have heretofore been made, contrary to the true intent and meaning of any or either of the several acts, passed at different times since the year one thousand seven hundred and ninety-one, to prohibit the selling, purchasing, hiring, or employing, certain foreign slaves, except as therein mentioned, shall be null and void, to all intents and purposes whatsoever; save and except such slaves as may have been sold by one French person to another, provided the number of slaves so sold shall not, at any one time, have exceeded two in number; and provided also, that all such slaves, so excepted, shall be exported within the time prescribed by this act."

Former as well as future sales of such slaves declared void;

except, in small numbers, from one French person to another; and these must also be exported.

Clause 4.—"That, from and after the expiration of six months after the passing of this act, it shall not be lawful for any person or persons whatsoever in this island, to hire, employ, harbour, or entertain, or in anywise to have in his or her possession, or to suffer to remain or abide on his or her settlement or property, or on any settlement or property in his or her possession, or under his or her care or management, as the attorney, agent, executor, administrator, guardian, mortgagee in possession, trustee, overseer, or otherwise, of any other person or persons, any slave or slaves who, to his or her knowledge, hath or have been imported or brought into, or hath or have otherwise arrived in, this island, since the twenty-third day of August, in the year one thousand seven hundred and ninety-one, or who shall, at any time hereafter, in anywise arrive therein; which slave or slaves hath or have, or shall have, at any time before such arrival, and since the day and year aforesaid, inhabited or resided, or been in anywise living or abiding, in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to or under the government of the French nation; or any slave or slaves who, after the passing of this act, shall

After six months, no French slaves as above described, to be hired, possessed, harboured, or entertained in.

nor to be brought into this island.

And no foreign slave, as before described, to remain in this island,

except domestic slaves having certificates, who may abide, and be hired or employed in Kingston and Port-Royal.

shall be imported or brought into, or shall otherwise arrive in, this island, from any colony, territory, or dominion, belonging to any other nation now at war with Great-Britain: And it is hereby declared, That every foreign slave, of the description aforesaid, shall be, and he or she is hereby, prohibited to remain or abide any where in this island, under the pains and penalties by this act hereafter declared and enacted: ~~Provided nevertheless~~, That nothing herein contained shall extend to prevent the remaining or abiding in this island, within the limits of the towns of Kingston and Port-Royal, or the hiring or employing in the said towns, and no where else, such domestic slaves of any French person or persons residing in either of the said towns, as shall have obtained certificates for such slaves, from the office of the clerk of the peace of the town of Kingston, in the manner hereafter directed; or shall affect any such foreign slaves as have been certificated, under the authority and by virtue of the two acts herein-before-mentioned, passed in the years one thousand seven hundred and ninety four and one thousand seven hundred and ninety-six, in the manner directed, and within the respective times limited, by the said acts; or such foreign sea-faring slaves, as by this act are hereafter excepted, provided they pass not the limits and boundaries thereby prescribed."

On information or suspicion of foreign slaves being hired, harboured, &c. after the time limited by law,

any magistrate may associate two others with himself, and inquire into the grounds thereof; and, if well founded, may summon parties to produce such slaves, and witnesses to give evidence respecting them.

Clause 5.—“ That, from and after the expiration of six months as aforesaid, after the passing of this act, it may and shall be lawful for any one of his majesty's justices of the peace, in any of the parishes or precincts of this island, upon information, complaint, or suspicion, that any slave or slaves, of the description herein-before given, and prohibited to remain or abide in this island, is or are hired, employed, harboured, or entertained by, or is or are in anywise in the possession of, any person or persons, or suffered to remain or abide on any settlement or property belonging to, or in the possession, or under the care or management, of any person or persons, as before-mentioned, in his respective parish or precinct, contrary to the true intent and meaning of this act, to associate with himself two other justices of the peace, of the same parish or precinct, who, together, shall enquire into the grounds of the said information or complaint, or of the suspicion as aforesaid; and, in case such information or complaint, or such suspicion, shall appear to be probable and well-founded, shall cause the person or persons informed against, or complained of, or so suspected, to be summoned to be and appear before them, at some time and place in such summons to be specified, to answer to such information or complaint, or to be examined on the subject of such suspicion as aforesaid;

foresaid; and also all persons capable, or judged by them to be capable, of giving evidence concerning the matters charged in such information or complaint, or the subject of such suspicion as aforesaid, to be examined touching their knowledge of the same: And the person or persons so informed against, complained of, or suspected, shall be enjoined and commanded by the said summons to produce, at the same time and place, before such justices; so associated, all and every such foreign slave or slaves as he, she, or they, shall have in his, her, or their, possession, or hired, employed, harboured, or entertained, by him, her, or them, or in anywise abiding or being on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, as aforesaid."

Clause 6.---"That in case any person, so directed to be summoned, shall keep his or her gates shut, or shall keep him or herself out of the way, or secrete him or herself, so that the officer, directed to execute the said summons, shall not be able to serve the same personally; the affixing a copy thereof to the gate, or the leaving such copy at the dwelling-house, of such person, shall be taken as a service thereof, and be deemed to be as good and valid in law, as if the original thereof had been exhibited to the person named therein."

If persons summoned shut their gates, or otherwise prevent or evade the service, copy of summons affixed to gate, or left at dwelling, to be good service.

Clause 7.---"That it may and shall be lawful for the three justices of the peace, associated as aforesaid, in case such person or persons informed against, complained of, or suspected, as aforesaid, shall not appear before them, at the time and place required by the summons aforesaid, upon due proof on oath being made of the service thereof, to issue their warrant to the provost-marshal, or his lawful deputy, or any lawful constable, for the apprehending and bringing before them such person or persons; and, when so brought (and also in case any such person or persons, either voluntarily appearing, or brought before them by virtue of their warrant as aforesaid, shall refuse to be examined on oath, on the subject of any suspicion as aforesaid, or shall be found to prevaricate in his, her, or their, answers), to commit him, her, or them, to the common gaol, for such contempt; without bail or mainprize, for such time, not exceeding three months, as to their discretion shall seem fit."

Persons disobeying such summons, or behaving contumaciously before the magistrates, may be committed to gaol for three months.

Clause 8.---"That all and every person or persons, who shall be duly convicted, before such three justices of the peace, associated as aforesaid, on the oath or oaths of one or more credible witness or

Persons convicted of hiding or entertaining such slaves, contrary to law.

to be fined
200l for each
slave hired,
&c.

besides 200l.
for each such
slave they re-
fuse or neglect
to produce
before the ma-
gistrates,

and to be im-
prisoned until
fine paid.

Informers may
prosecute, but
penalty on
conviction to
go to the
public.

witnesses, or on his, her, or their, own voluntary confession, of knowingly and wilfully hiring, employing, harbouring, or entertaining, or in anywise retaining in his, her, or their, possession, any slave or slaves, of the description herein-before given; and prohibited to remain or abide in this island, or of knowingly suffering any such slave or slaves to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, after the expiration of the time limited by this act, and contrary to the intent and meaning thereof, shall forfeit the sum of two hundred pounds for every slave so hired, employed, harboured, or entertained, or in anywise possessed, or suffered to remain or abide, on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, as aforesaid; and in case such slave or slaves shall not be produced before the said justices, in the manner required as aforesaid, such person or persons, refusing or neglecting so to do, shall forfeit each the further sum of two hundred pounds, for every slave so proved to have been hired, employed, harboured, or entertained by, or in anywise in the possession of, any such person or persons, or suffered to remain or abide on his, her, or their, settlement or property, or on any settlement, or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, as aforesaid, contrary to the intent and meaning of this act, and not produced by him, her, or them: And the justices aforesaid are hereby authorized and empowered to commit the offender or offenders to the common gaol of the county, wherein the offence shall have been committed, there to remain, without bail or mainprize, until he, she, or they, shall have duly paid the several penalties incurred as aforesaid; one moiety of which said penalties shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other to the informer or prosecutor."

Clause 9.---"That the informer shall be admitted both to prosecute and give evidence, in every such prosecution as aforesaid. **Provided nevertheless,** That in case any person or persons shall be convicted on the evidence of the informer or prosecutor, the whole of the penalty or penalties, incurred by such conviction, shall, after the deduction of the expence of such prosecution, be paid to the receiver-general for the time being, to be applied to the support of the government of this island."

Clause

Clause 10.—"That in all cases wherein any such slave or slaves, as aforesaid, shall be refused or neglected to be produced before the three justices, associated in the manner before directed, by any person or persons, hiring, employing, harbouring, or entertaining, or having such slave or slaves in his, her, or their, possession, or suffering such slave or slaves to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, when required so to do by any summons as aforesaid, or otherwise commanded by such justices as aforesaid, it may and shall be lawful for the said justices, and they are hereby empowered and required, to issue their warrant for the apprehending and bringing before them all such slaves as aforesaid, concerning whom such information or complaint as aforesaid shall have been made, or such suspicion as aforesaid shall lie; or who shall any how appear to such justices to be on any settlement or property, belonging to any such person or persons as aforesaid, or in his, her, or their, possession, or under his, her, or their, care or management; which warrant shall be directed to the provost-marshal, or any of his lawful deputies, or any lawful constable; who are hereby directed and enjoined to execute the same."

On refusal to produce such slaves before magistrates, when summoned, warrant to be issued for their apprehension.

Clause 11.—"That if any person whatsoever shall not, on demand made, open his or her gates, or shall otherwise resist any deputy-marshal, or any constable, in taking up any such slave as aforesaid, under the authority hereby given, and according to the meaning of this act, every such person shall forfeit the sum of two hundred pounds for every such offence."

Persons resisting such warrant, to forfeit 200*l*.

Clause 12.—"That in case any deputy, or other officer acting under the authority of the provost-marshal, or any other person or persons, shall make use of any opportunity that may be afforded to him or them, on occasion of the execution of any warrant issued by any magistrate or magistrates, in the manner aforesaid, under the authority and by virtue of this act, to make any levy, or to execute any judicial or mesne process in any civil cause, every such levy, and the execution of every such process, shall be null and void, to all intents and purposes whatsoever; and that every person making such levy, or executing, or attempting to execute, any such process, shall be subject and liable to all damages and expences arising therefrom; and, on conviction thereof before any three justices of the peace of the parish or precinct wherein the offence shall have been committed, shall suffer six months imprisonment."

Deputy-marshals making other levies in civil causes, while executing such warrants, levy to be void.

The officer to be liable to all damages, and on conviction to be imprisoned for six months.

ment, without bail or mainprize, in the common gaol, for every such offence."

Proceedings against such slaves declared to be a criminal process, and only such description as may identify them necessary.

Clause 13.—"That every such process is, and shall be taken to be, of a criminal nature, and that any such particular description, as shall be sufficient to ascertain the person of any such slave, or to discriminate such slaves from any others, not being foreign slaves within the true intent and meaning of this act, shall be deemed to be a sufficient specification of any such slave or slaves, in any warrant issued under and by virtue of this act."

Proscribed slaves produced before magistrates, or apprehended by warrant to be committed to gaol, until transported, unless proof is made that they are not of such description.

Clause 14.—"That all and every slave or slaves, who shall be produced to the justices of the peace, associated as aforesaid, by the person or persons hiring, employing, harbouring, or entertaining, or having such slave or slaves in his, her, or their, possession, or suffering such slave or slaves to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management, or apprehended and brought before the said justices, by virtue of their warrant issued for that purpose, in the manner aforesaid, shall, by such justices, (unless due proof shall be made on the examination, to their satisfaction, that such slave or slaves is or are not of the description of slaves herein before given, and prohibited to remain or abide in this island; and that such slave or slaves doth, or do not, come within the intent or meaning of this act), be committed to the county gaol, there to be detained in safe and close custody, until such slave or slaves shall be transported in the manner hereafter declared."

Justices to issue their order to provost-marshal, to sell such slaves for transportation.

Clause 15.—"That the justices, associated as aforesaid, shall be, and they hereby are, empowered and required to issue their order to the provost-marshal, or his lawful deputy of the gaol to which any such slaves as aforesaid shall be by them committed, to sell all such slaves for transportation, in the manner hereafter declared; and the said justices are hereby further directed to transmit a copy of the examination, together with a copy of the warrant of commitment, and of the order aforesaid, to the clerk of the peace of the precinct wherein such justices shall act, to be recorded forthwith in his office; under the penalty of two hundred pounds, to be forfeited by the said clerk of the peace for every neglect so to do: And, in case any gaol-keeper shall refuse to receive into his custody any slave committed to his charge for the purpose of transportation, under the directions and by virtue of this act, or having received, shall

Copy of proceedings and order to be sent to clerk of peace, to be recorded.

Penalty of 500l. on gaol-keepers refusing

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shall not detain and keep in safe and close custody, every such slave, until such transportation shall be duly carried into effect, he shall, for every such default, forfeit the sum of five hundred pounds."

ing to receive and detain such slaves.

Clause 16.—"That the provost-marshal, or his lawful deputy, to whom any orders shall be issued, by any justices of the peace, associated in the manner aforesaid, for the selling for transportation any slave or slaves, under the authority and by virtue of this act, shall, under the penalty of five hundred pounds, carry the said order into effect, as soon after any such slave or slaves as aforesaid shall come into his possession or custody, as an opportunity shall offer, after the sale made, herein-after mentioned; and the monies arising from such sale, after deducting therefrom a commission of five pounds *per centum*, and all expences, shall be applied (except in such cases, wherein it shall hereafter by this act be otherwise directed) in the following manner; to wit, one moiety thereof to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the informer or prosecutor, or the person or persons apprehending such slave or slaves, as the case may be, **Provided always nevertheless,** That the said provost-marshal, or his lawful deputy, shall, under the penalty of one hundred pounds for each default, cause public notice of such sale to be given in the Royal Gazette, if such sale shall be intended to be had in either of the counties of Middlesex or Surrey; or in the Cornwall Chronicle, if in the county of Cornwall; for two weeks previous to the sale being made of any slave or slaves (specifying in such advertisement the number of slaves so intended to be sold), who shall be directed to be sold for transportation, under the authority and by virtue of this act."

Provost-marshal to execute such order of justices as soon as may be, under penalty of 500*l*.

Application of monies arising from sales.

Sales to be advertised for two weeks.

Clause 17.—"That every slave who, under the authority and by virtue of this act, shall be sold for transportation by the provost-marshal, or his lawful deputy, shall, notwithstanding such sale, remain in the custody of the said provost-marshal, or his said deputy, until the purchaser of such slave shall have entered into bond, with sufficient security, to our sovereign lord the king, under the penalty of five hundred pounds for every such slave so purchased, that every such slave shall be exported off this island, within thirty days after the date of such bond, and shall, in the mean time, be kept in close confinement on board the ship or vessel in which such slave is intended to be exported; which bond shall be taken by the said provost-marshal, or his lawful deputy aforesaid (for which the said provost-marshal, or his said deputy, shall receive, from the party entering into the same, all expences incidental thereto), and be

Purchasers of such slaves to give bond in 500*l*. penalty to export them within thirty days, and to keep them in confinement during that time;

Bond to be lodged in clerk of peace's office.

be filed among the records of the clerk of the peace's office of the precinct wherein such sale shall be made."

Purchaser to
make oath
that slaves
shall be ex-
ported, and
that they shall
not be re-
landed.

Clause 18.—"That every such purchaser of any slave, so directed to be sold for transportation as aforesaid, shall, at the time of executing such bond as aforesaid, also make oath before the provost-marshal; or his lawful deputy (either of whom is hereby authorized and required to administer the same), that every such slave so purchased by him shall be exported to (death or danger of the seas excepted); and that the said slave so purchased shall not, with his knowledge, privity, or consent, be re-landed in this island."

No slave to
be delivered
until bond
taken, and
oath made,
under penalty
of 300*l.* on
provost-mar-
shal, &c. and
if slave found
again, to be
forfeited.

Clause 19.—"That the provost-marshal, or any of his deputies, shall not, under the penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers any slave, so sold for transportation as aforesaid, until such bond is entered into, and oath taken as aforesaid: And, in case any such slave, so sold for transportation as aforesaid, shall be found within this island, after the expiration of the thirty days before limited for his or her exportation, such slave shall become forfeited to the crown, and be resold for transportation, by the provost-marshal, or his lawful deputy, in the same manner, and under the like penalties, as are herein-before enacted."

Such slaves
going at large,
may be appre-
hended by
any person,
and on due
proof resold,
by order of a
magistrate, for
transporta-
tion.

Application of
proceeds.

Clause 20.—"That every slave sold for transportation, under and by virtue of this act, who shall be found at large within this island, at any time after such sale as is herein-before directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of his majesty's justices of the peace; and, if it shall be made appear to the satisfaction of such justice, that such slave has been formerly sold for transportation, by virtue of this act, such justice shall, by warrant under his hand and seal, direct such slave to be delivered to the provost-marshal, or his lawful deputy, to be resold, for transportation only: And the monies arising from such sale, after the deduction of the commission of five pounds *per centum*, and all necessary expenses, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the receiver-general for the time being, for the support of the government of this island."

Foreign per-
sons of colour
or negroes,

Clause 21.—"That, immediately from and after the passing of this act, in case any foreign person of colour, or foreign negro, shall be found going about, or at large, in any part of this island, except

except on the settlement or property of any person claiming to be the owner or proprietor of such person of colour or negro, or having such person of colour or negro in his or her possession, or under his or her care or management, as the representative, or in the right of another, and within the term of six months from and after the passing of this act, hereby allowed for the exportation of such foreign French slaves, as are herein-before mentioned; provided such foreign person of colour or foreign negro shall not have a certificate, passport, or police ticket, under the provisions of the act entitled, *An act for establishing regulations respecting persons of a certain description, arriving in this island, or resident therein, in certain cases*; or shall not be of the description of slaves, that are herein-before excepted from exportation, or are permitted to remain in this island; or unless such foreign person of colour, or foreign negro, shall be under the care of some white person properly authorized, who shall be *bond fide* conducting such person of colour or negro to some barquadier, for the purpose of exporting the same, according to the directions, and within the time limited by this act; all and every of his majesty's justices of the peace, and the peace officers of every parish of this island, and also all and every of his majesty's subjects, are hereby empowered, directed, and required, to apprehend, or cause to be apprehended, all and every such foreign person or persons of colour, or foreign negro or negroes, so found, and to carry the same, or to cause the same to be carried, before the nearest magistrate; who is hereby empowered and enjoined, to associate with himself two other magistrates of the same parish or precinct; which three magistrates shall, together, take the examination of such foreign person or persons of colour, or negro or negroes, and, unless proof shall be duly made, to their satisfaction, that such person or person of colour, or negro or negroes, so brought before them, is or are not of the description of slaves herein-before ordered to be exported, or prohibited to remain or abide in this island, or that he, she, or they, doth or do come within the intent or meaning of some or one of the exceptions or provisoes, by this act made and declared, they shall commit the said person or persons of colour, or negro or negroes, to the county gaol, and shall proceed to cause the same to be sold for transportation, by the provost-marshal, or his lawful deputy; and their proceedings be recorded by the clerk of the peace, according to the same regulations, and under the same penalties, as are herein-before enacted and declared; and the monies arising from such sales, shall be applied in the manner herein-before directed."

going at large, except on the properties they belong to,

(unless protected under

89 Geo. III. cap. 30. (Expired.)

or by certificate;

or under the care of a white person, conducting them for transportation;)

to be apprehended and carried before a magistrate,

who is to associate with two others, and take examination; and unless residence be sanctioned,

to commit them to gaol, and cause them to be sold for transportation.

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Clause 22.---“ That whenever any question shall arise, whether any slave, or any foreign person of colour, or foreign negro, taken up, or otherwise brought before any magistrate as aforesaid, is such a slave as comes within the description of slaves herein-before ordered to be exported, or prohibited to remain or abide in this island, the proof to the contrary shall lie on the owner or claimant of such slave, foreign person of colour, or foreign negro, or on the defendant or defendants ; any law, custom, or usage, to the contrary notwithstanding.”

In such cases where there is doubt, the onus probandi to be on the claimant.

Clause 23.---“ And whereas many slaves of a most desperate character, who have heretofore been exported] off this island, by the private authority of their owners or proprietors, or of the representatives of such owners or proprietors, for misdemeanors by them committed, and sold into the colonies, islands, or territories, under the French government, have, during the late influx of foreign slaves, found the means to return from the said French colonies, islands, or territories, into this island, and are now at large therein, to the great annoyance and danger of this community : Be it further enacted by the authority aforesaid, and it is hereby declared, That all such slaves, so exported as aforesaid, who have already returned, or shall hereafter return to this island, from St. Domingo, or any other foreign colony, island, or territory, shall be deemed and taken to be foreign slaves, of the description hereby prohibited to remain or abide in this island, and be liable, immediately from and after the passing of this act, to be apprehended, and sold for transportation, by the order of the magistrates, in the same manner as is herein-before directed ; and that in case any such slave shall wilfully return from such transportation, and be found again, at any time thereafter, in this island, every such slave shall, on conviction thereof before a slave court, suffer death without benefit of clergy.”

Slaves formerly transported from this island,

already returned, or who may return thereto, to be treated in all respects as proscribed slaves.

If they again return to suffer death.

Clause 24.---“ That, from and after the passing of this act, it shall not be lawful for any person or persons to hire, or employ, any such foreign slave or slaves, as is or are of the description by this act prohibited to remain or abide any where in this island, in dugging or navigating any vessel from any bay, harbour, or seaport, to another, in this island ; and that, if any such slave or slaves be found so hired, or employed, it may and shall be lawful for any of the officers of his majesty's customs of this island, and for the naval officer or his deputies, the receiver-general or his deputies, and the commanders of his majesty's different ships of war or armed vessels, and for any of the magistrates of this island, to seize

If foreign slaves are found employed in duggers, &c. the vessel to be seized and condemned.

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seize such vessel, and also the slaves aforesaid : and they are hereby severally empowered and authorized to seize the same, and to proceed to the condemnation thereof in the supreme court of judicature, or any of the courts of assize, in this island."

Clause 25.—" That, on the conviction of such vessel and slaves, the said slaves shall be adjudged by the court to be sold for transportation, by the provost-marshal, or his lawful deputy, in the same manner, and under the same regulations, as are herein-before declared ; and that the said vessel, and the monies arising from the sale of the said slaves, after deducting the commissions and charges, shall be forfeited to the sole use and benefit of the party seizing the same : ~~Provided always nevertheless,~~ That nothing in this act contained shall extend to prevent the hiring or employing any foreign slave or slaves, in navigating any ship or other vessel, registered according to act of parliament, to and from the ports of this island, and any other part of his majesty's dominions, or any foreign port, or to affect any slave or slaves employed in navigating any foreign vessel, permitted to trade to any of the ports of this island."

In such case, the slaves to be sold for transportation.

Proviso.

Not to extend to vessels in foreign trade, or trading under free port acts.

Clause 26 —" That no such foreign seafaring slave or slaves as aforesaid shall be permitted or suffered to proceed further to the landward of this island, than the wharf, quay, or landing-place, where their labour may be indispensably necessary for the loading or unloading the cargo of the ship or vessel to which such slave or slaves shall respectively belong, on pain of being liable to be apprehended by any of his majesty's subjects, as is hereby before directed, and carried before the nearest magistrate for examination, and of being dealt with, if found to be of the description of foreign slaves hereby prohibited to remain or abide in this island, and to come within the true intent and meaning of this act, in the manner hereby before enacted and declared ; or, if found to be of any other description of foreign slaves, of being committed to the nearest workhouse, for a space of time not less than twenty-four hours, and till claimed by his or their respective owner, and the like reward, for taking up such slave or slaves, and other charges, enacted by the laws now in force respecting runaway slaves, be paid."

Foreign seafaring slaves, not to go about at large on shore, under pain of being apprehended, and dealt with as proscribed slaves, if of that description ; and of being sent to the workhouse, if they are not.

Clause 27.—" **And whereas** there is great reason to apprehend that people of colour or negroes may be sent from St. Domingo, or some other foreign island or colony, to different parts of this island, for the purpose of exciting sedition, or raising rebellions ; or that some of the foreign people of colour or negroes, who have of late

Foreigners of colour or negroes found exciting sedition, or suspected thereof, to be apprehended and committed to gaol, for trial;

arrived from thence, and are permitted to reside here under the sanction of law, may be employed as emissaries for such purposes: **Be it further enacted by the authority aforesaid,** That all and every of his majesty's justices of the peace, and the peace-officers of every parish in this island, and all and every of his majesty's subjects, be, and they hereby are, empowered and required to apprehend and secure, or cause to be apprehended and secured, all and every suspected person or persons of the above description, that may be found in any part of this island, and to bring, carry, or send, him, her, or them, before the nearest magistrate, to be by him examined; who, upon finding that there are probable grounds of suspicion of seditious or rebellious practices, on the part of any such person or persons, or of his, her, or their, having exhorted, encouraged, or excited, any slave or slaves, or any free person of colour, or free negro, of this island, thereto, shall then, and in every such case, be obliged, under the penalty of five hundred pounds, to commit all and every such person or persons of colour, or negro or negroes, so brought before him, to close confinement, in any of the gaols of this island, until there shall be an opportunity of calling and assembling a slave court."

(in which the evidence of slaves is to be admitted)

and, if convicted, to suffer death;

In doubtful cases, transportation for life.

Clause 28.—"That on the trial before such court of any such person or persons as aforesaid the evidence of slaves shall be received, and that no claim of a right of freedom shall be allowed to be pleaded on the behalf of the prisoner or prisoners, in bar of the jurisdiction of such court; and, if such person or persons of colour, or negro or negroes, of the above description, upon his, her, or their, trial, shall be found guilty of seditious or rebellious practices, or of having exhorted, encouraged, or excited, any slave or slaves, or any free person of colour, or free negro, of this island, thereto, the said person or persons, so found guilty and convicted, shall suffer death without benefit of clergy: And, in case there shall not be sufficient proof to convict such person or persons of the charge, on which he, she, or they, shall be tried, but the jury, shall, nevertheless, from the evidence before them find, by a special verdict, the prisoner or prisoners to be dangerous to the safety and tranquillity of this island, the court is hereby directed and required to remand such prisoner or prisoners to close confinement in gaol, and to adjudge and order him, her, or them, to be transported off this island for life."

Regulations for foreign slaves in

Clause 29.—"And whereas the peace and safety of this island requires, that all such domestic slaves, belonging to any French person or persons residing in the towns of Kingston and Port-Royal, which

Kingston and Port-Royal.

The owners of such, in thirty days from 25th March, annually, are to give in their names and descriptions at clerk of peace's office, and certificates are to be granted them;

Office of the clerk of the peace, Kingston,
dated the day of

Which certificate shall be in force for one year from the date thereof: **Provided nevertheless,** That no one family shall be entitled to, or allowed to receive, certificates for any greater number than **to be in force for one year.**

Slaves to be registered.

than six such domestic slaves: And such clerk of the peace shall register all such slaves, by making an entry of every such certificate, in the words thereof at length, in a book to be by him provided and kept for that purpose."

No stamp duty or fee on certificates; and if lost, they may be renewed, paying a fee of two shillings and six pence to clerk of the peace.

Clause 30.—"That every such certificate, as aforesaid, shall be free of any stamp duty imposed by any law now in force, and delivered to the owner of any slave, so registered as aforesaid, or to his or her agent, without any fee or reward whatsoever; and, in case any such certificate shall be lost or destroyed by accident, the same shall be renewed upon application, either personally or in writing, of the owner or possessor of the slave, for whom the same shall have been granted, and such slave being again produced before the clerk of the peace, at his office, and found to agree with the description entered in the register, upon payment of two shillings and six pence by the party applying for the same."

Clerk of the peace to make return to custos of certificates granted annually; in forty days from 25th of March, which is to be transmitted to governor, under penalty of 100*l*.

Clause 31.—"That the clerk of the peace aforesaid shall, within forty days after the twenty-fifth day of March, in each and every year during the continuance of this act, make a return of all the certificates issued at the preceding general registry, to the custos or chief magistrate of Kingston; in which shall be set forth the substance and date of every such certificate, under the pain of forfeiting the salary hereby granted for his trouble: which return shall be forthwith transmitted, by the said custos or chief magistrate, under the penalty of one hundred pounds, to the office of the secretary of the lieutenant-governor, or the governor or commander in chief for the time being."

for which he is to receive 100*l*. yearly, by an order on receiver-general.

Clause 32.—"That the custos or chief magistrate of Kingston shall be, and he is hereby empowered, immediately upon the receipt of such return, to draw an order on the receiver-general for the time being, for the payment of the sum of one hundred pounds, out of any monies in his hands unappropriated, to the clerk of the peace aforesaid; which shall be in full compensation to him, for his trouble in certificating and registering all such slaves as aforesaid."

No foreign domestic slaves to be hired out, but in Kingston or Port-Royal; nor to be sent into the coun-

Clause 33.—"That the owner or possessor, or the owners or possessors, of any such foreign French domestic slaves as aforesaid, shall be, and they hereby are, prohibited from hiring the said slaves out in any parish of this island, the towns of Kingston and Port-Royal, as aforesaid, only excepted; or from sending such slaves any whither into the country (in either of which cases the cer-

ificate last mentioned shall not protect any such slave from being apprehended and taken up, if found at a greater distance than half a mile from one of the said towns, and dealt with as a foreign slave, prohibited by this act to remain or abide in this island); or from hiring them out on board any ship, sloop, or vessel whatsoever, under the penalty of one hundred pounds for each and every such latter offence: And, in case of the seizure of any drogger or other vessel, for having any foreign slaves on board, the proof of their not coming under the description aforesaid shall lie upon the owner or owners, claimant or claimants, who, notwithstanding, shall be subject and liable to all expences, occasioned by stopping or detaining the said vessel."

try; (in which cases certificates of no avail) nor to be hired on board of vessels, under 100*l.* penalty.

In case of seizure of vessel, for having such slaves, onus probandi to lie on claimant.

Clause 34.—" That in case any French person residing in Kingston or Port-Royal, or any other place in this island shall, at the time of the passing of this act, have in his possession, or shall at any time hereafter become possessed, in this island, of any foreign slave or slaves, who never, at any time, hath or have inhabited or resided, or in anywise been living or abiding, in the island of St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or in any colony, territory, or dominion, belonging to any nation now at war with Great-Britain, since the commencement of hostilities, the said slave or slaves shall not be deemed to come within the meaning of this act, or be laid under the restrictions thereof: ~~Provided also~~, That no slave imported from St. Domingo, or any other French island, colony, territory, or dominion, which slave hath been brought into or arrived in this island, before the twenty-third day of August, in the year one thousand seven hundred and ninety-one aforesaid, and hath constantly resided and lived in this island, ever since such arrival as aforesaid, shall be deemed, or construed to be, within the intent or meaning of this act, or be in anywise affected thereby, to whomsoever such slave may belong.

Provido.

Foreign slaves who have never been in St. Domingo, or any other island, &c. belonging to France, or to any nation at war with Great-Britain, since hostilities commenced, as well as those who quitted St. Domingo, &c. before 23^d August 1791, not affected by this act.

Clause 35.—" That in case any French or other person shall, in order to obtain a certificate from the clerk of the peace aforesaid, for any slave, be guilty of any false and wilful forswearing, or shall suborn or procure any other person to swear falsely, he or she, being thereof duly convicted, shall incur and suffer the pains and penalties inflicted by law on such persons as shall commit, or shall suborn any other person to commit, unlawful and corrupt perjury.

Persons swearing falsely to obtain certificates, guilty of perjury.

Clause 36.—" That in case it shall appear to the two sitting magistrates of Kingston aforesaid, that there is just cause to suspect that any

In case of suspicious slaves being brought

to be certificated,

they are to be proceeded against as pre-scribed slaves;

unless proof is made that they are not of such description.

any slave or slaves, brought before them to be certificated as aforesaid, are not domestic slaves, or do not really belong to the person or persons in whose name or names they are brought to be certificated and registered, or are slaves of such a character or description as may render them dangerous to the peace and tranquillity of this island, the said magistrates are hereby authorized, empowered, and required, to commit forthwith such slave or slaves to gaol; and to associate with themselves one or more other magistrates of the same precinct; which said magistrates, so associated, shall cause to be brought before them all persons capable of giving evidence, and shall, together, take the examination of such slave or slaves as aforesaid; and, unless proof shall be made to their satisfaction, that such slave or slaves are really domestic slaves, belonging to the person or persons in whose name or names they were brought to be certificated and registered, and of a character and description consistent with the true intent and meaning of this act, and that no fraud or collusion has been practised, or been intended to be practised, shall remand such slave or slaves to close confinement in gaol, and cause him, her, or them, to be sold for transportation, by the provost-marshal, or his lawful deputy, and their proceedings to be recorded by the clerk of the peace, in the same manner, and under the same regulations and penalties, as are herein-before enacted and declared; the monies arising from which sale or sales shall, after deducting the commissions and expences, be paid over to the receiver-general for the time being, to be applied towards the support of the government of this island."

All foreign slaves found in Kingston or Port-Royal without certificates, after 24th April, to be taken up and examined (except seafaring slaves on the wharves,) and, if certificate lost by negligence, owner to be fined 10s. and slave sent to workhouse;

Clause-37.—"That it may and shall be lawful for any peace officer of the parishes of Kingston and Port-Royal, and for any officer or private of the town-guard of Kingston, to apprehend any foreign French slave (seafaring slaves belonging to, and employed in navigating, vessels trading to and from this island, and any port without the same, and found only on the wharves, quays, or landing-places, of the said towns, in the manner herein-before mentioned, excepted) who, after the twenty-fourth day of April next, shall be found without a certificate as aforesaid, and to carry such slave before the clerk of the peace of such of the parishes aforesaid, wherein the said slave shall be found, for examination by a magistrate; and if it shall appear that such slave had been certificated as aforesaid, but that the certificate has been lost by negligence, the said magistrate shall order the owner or owners, claimant or claimants, of such slave, to pay to the person or persons who apprehended him for examination, the sum of ten shillings, and shall commit the said slave to the workhouse for such time, not exceeding

ing

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ing twenty-four hours, as in his discretion he shall think fit; and, in default of the immediate payment of the ten shillings aforesaid, until the same shall be duly paid: But, in case no proof shall be offered to his satisfaction, that such slave had been certificated in manner aforesaid, the said magistrate shall be, and he hereby is, authorized and required to associate with himself two other magistrates of the same precinct; which three magistrates, so associated, unless it shall be duly proved to their satisfaction, that such slave is not a foreign slave, of the description herein-before ordered to be exported, or prohibited to remain or abide in this island, or that such slave had been duly certificated, but has lost his certificate, or unless good and sufficient security shall be given, that such slave shall be exported off this island within the time limited by this act (provided the said time shall not be then expired), shall cause such slave to be sold for transportation, by the provost-marshal, or his lawful deputy, in the manner, and under the regulations and penalties herein-before directed; and the monies arising from such sale, after deducting the commission and all expences, shall be applied in the manner herein-before declared."

but if it appears that any slaves apprehended have not been certificated, they are to be proceeded against as directed in the case of proscribed slaves.

Clause 38.—"That if any constable or peace officer, or any other person, shall wilfully destroy any certificate, granted in manner aforesaid, to any French domestic slave, by the clerk of the peace of the parish of Kingston, he shall, on being duly convicted thereof, before any three magistrates of the parish wherein the offence shall have been committed, be fined in a sum not exceeding twenty pounds, and be kept in confinement in the common gaol, until the fine be paid; provided that such confinement shall not exceed the term of two months."

Constables, &c. wilfully destroying certificates to be fined 20*l*.

Clause 39.—"That it may and shall be lawful for the lieutenant-governor, or the governor or commander in chief for the time being, upon apprehension of danger to this island, by and with the consent and advice of the privy-council, to order, by proclamation, all such foreign French domestic slaves as aforesaid, or such of them as the said proclamation shall set forth, to be exported off this island by their respective owners or possessors; and, in case such exportation shall not be complied with, according to the terms of, and within the time prescribed by, such proclamation, to order and direct, by warrant under his hand and seal, the provost-marshal, or his lawful deputy or deputies, to apprehend and take up all such slaves as aforesaid, and to keep them in close confinement and safe custody, until such means shall be found of conveying the said slaves out of this island, as the said lieutenant-governor, governor,

Governor, by proclamation, may order all foreign domestic slaves to be exported, and in case of non-compliance, may issue his warrant to provost-marshal, to take up and confine them.

governor, or commander in chief, shall, with the advice of the privy-council, approve of."

Masters of vessels on arrival, to declare on oath to naval officer, if slaves on board his vessel, other than the crew;

and specify particulars in writing.

Proviso.

Vessels from the coast of Africa excepted.

Masters of vessels neglecting to declare, to forfeit 70*l.* for each slave found on board,

Clause 40.—"And, in order to prevent any further introduction of slaves from St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or belonging to any other nation now at war with Great-Britain, **be it enacted by the authority aforesaid,** That, from and after the passing of this act, the master or commander of every ship, vessel, or boat, which shall arrive in any port in this island, from any port without the same, shall, immediately on his arrival, declare, upon oath, to the naval officer, or his deputy of such port, whether there is or are, to the best of his knowledge, any negro or other slave or slaves on board his vessel, not being slaves *bond fide* belonging to his said vessel, and employed in navigating the same; and, in his said declaration, shall specify the number, and sex or sexes, of such slaves, if any there be, on board his said vessel, the place or places where they were taken on board, and the name or names of their respective owners or proprietors, and such further particulars concerning them, and each of them, as shall have come to his knowledge; and shall also, at the same time, render, on oath, to the said naval officer, or his deputy, an account and list in writing, of all such slaves on board his said ship, vessel, or boat, as belong thereto, and are employed in navigating the same: **Provided nevertheless,** That the master or commander of any ship or vessel from the coast of Africa shall, so far as respects any slaves, being new negroes, on board his said ship or vessel, composing the cargo thereof as merchandise, be required and obliged only to declare on oath, generally, whether or not any of the slaves, of the description of new negroes as aforesaid, on board his ship or vessel, have been landed in St. Domingo, or any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or of any other nation now at war with Great-Britain, since such slaves were brought from the coast of Africa."

Clause 41.---"That the master or commander of any ship, vessel, or boat, so arriving as aforesaid, who shall neglect or refuse to make such declaration on oath, or to render such account and list on oath, as aforesaid, shall, for every such offence, forfeit and pay the sum of seventy pounds, for each and every such slave, who shall have been on board at the time of the arrival of such ship, vessel, or boat, as aforesaid; one moiety whereof shall be to his majesty, his heirs, and successors, for the support

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support of the government of this island, and the other moiety to the informer or informers; to be recovered before any three magistrates acting in and for the parish in which such offence shall have been committed: And that it shall be lawful for the collector and comptroller of the customs of the port, and for the naval officer, or his deputy, where such ship, vessel, or boat, shall have arrived, and they are hereby required and enjoined, to detain such ship, vessel, or boat, as aforesaid, until the same shall have been paid."

to be recovered before three magistrates. Vessels to be detained until fine paid.

Clause 42.—"That it shall not be lawful for any master or commander of any ship, vessel, or boat, arriving in any port of this island, from any port without the same, to land, or suffer to be landed, any slave or slaves, not being slaves *bona fide* belonging to his said vessel, and employed in navigating the same (in which case all such slaves shall be under the regulations and restrictions, herein before provided and declared, for foreign seafaring slaves, employed in navigating vessels to and from this island), without a permit in writing from the naval officer, or his deputy of such port where he shall have arrived, under the pain of forfeiting the sum of two hundred pounds, for every such slave so landed; one moiety whereof shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the informer; and of suffering the further punishment of six months imprisonment, without bail or mainprise, in the common gaol, on conviction of such offence, before any three magistrates of the parish or precinct wherein it shall be committed."

No slave to be landed without a permit from naval officer, under the penalty of 200l. and six months imprisonment.

Clause 43.—"That the naval officer, or his deputy, shall not grant to any master or commander of any ship, vessel, or boat, so arriving as aforesaid, any permit, in any other manner than is hereafter mentioned, to land, or suffer to be landed, any slave or slaves (new negroes from the coast of Africa, which have never been landed in St. Domingo, or any other French or other foreign island, colony, territory, or dominion, whether imported from Africa in British vessels, or found on board any prize vessel taken from an enemy, excepted) under the penalty of two hundred pounds for each and every slave, so permitted to be landed; to be recovered in the supreme court, or either of the courts of assize in this island; one moiety whereof to be to the use of his majesty, his heirs and successors, for the support of the government of this island, and the other moiety to the person suing for the same."

Naval officer to grant no such permits, under penalty of 200l.

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Unless oath be made by the owner, that such slave is not of the description before proscribed.

Clause 44.—“That it may and shall be lawful for the naval officer, or his deputy of any of the ports of this island, upon oath being made before him, by the owner or proprietor, or his or her agent, being a white person of known credibility, that any slave or slaves, mentioned in the declaration of such master or commander of any ship, vessel, or boat, as aforesaid, hath or have not, at any time theretofore, since the twenty-third day of August, in the year one thousand seven hundred and ninety-one, inhabited or resided, or in anywise been living or abiding, in St. Domingo, or in any other island, colony, territory, or dominion, belonging to, or under the government of, the French nation, or in any colony, territory, or dominion, belonging to any other nation now at war with Great-Britain, since the commencement of hostilities, to grant a permit, in writing, for the landing such slave or slaves as shall be specified in such oath.”

Persons here is swearing falsely, guilty of perjury.

Clause 45.—“That in case any owner or proprietor of any slave or slaves as aforesaid, or his or her agent, shall be guilty of any false and wilful forswearing in taking the oath aforesaid, or shall unlawfully and corruptly procure or suborn any person to take the said oath falsely, he or she, being thereof duly convicted, shall, for every such offence, incur the pains and penalties inflicted by law on all such persons as shall commit wilful perjury, or shall procure or suborn any person to commit any unlawful or corrupt perjury.”

On information that permits have been fraudulently obtained, slaves to be apprehended, and proceeded against as directed in respect to those proscribed.

Clause 46.—“That in case information shall be given, on oath to any one of his majesty's justices of the peace, of the parish wherein such slave or slaves so landed may afterwards be found, that the permit to land such slave or slaves was fraudulently obtained, contrary to the intent and meaning of this act, and that such slave or slaves is or are of the description of foreign slaves, herein-before prohibited to remain or abide in this island, such justice of the peace shall be, and he hereby is, empowered and required to cause such slave or slaves to be apprehended, and to associate with himself two other justices of the peace of the same precinct; which justices so associated, upon the fact being duly proved before them to their satisfaction, shall cause such slave or slaves to be sold for transportation, by the provost-marshal, or his lawful deputy, under the same regulations as are herein-before directed; and the monies arising from such sale or sales shall be applied in the manner herein-before declared.”

Naval officer to receive a

Clause 47.—“That the naval officer, or his deputy, of the several ports of this island, shall be entitled, for taking the declaration of

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of the master or commander of any ship, vessel, or boat, and the account and list, as aforesaid, and for administering the several oaths by this act required (which oaths they, or either of them, are hereby authorized and empowered to administer,) and for making out and granting the permit in writing, for landing any such slave or slaves as aforesaid, to demand a fee of five shillings for every such slave (new negroes excepted) so permitted to be landed, to be paid by the owner or proprietor of the said slaves, or the person applying for the same in his or her behalf, before such slave or slaves shall be landed; which fees shall be in full compensation to such naval officer, and his deputies, for the additional duty imposed on them by this act."

Fee of 5s. for each permit, including the declaration list, &c.

New negroes excepted.
The fee to be paid by the owner.

Clause 48.—"That in case any attempt shall be made to land clandestinely any foreign slave, from on board any ship, vessel, or boat, in any port, harbour, bay, or creek, or any where on the sea-coast, of this island, contrary to the true intent and meaning of this act as aforesaid, it may and shall be lawful for any of the officer's of his majesty's customs, or any other of his majesty's subjects, to seize every such slave, and to carry the same before the nearest magistrate, who is hereby empowered and directed to associate with himself two other magistrates of the same precinct, who, together, shall examine into the fact of such attempt to land such foreign slave, and, upon due proof being made to their satisfaction that the same was clandestinely done, and not occasioned by shipwreck, or any other unavoidable or irresistible necessity, shall commit such slave to the county gaol, and order the same to be sold for transportation, by the provost-marshal or his lawful deputy, in the manner by this act before directed; and the monies arising from such sale, after deducting the usual commissions and charges, shall be applied to the sole use and benefit of the person or persons apprehending and seizing such slave."

Foreign slaves taken in the attempt to be landed, to be proceeded with as if found ashore.

Clause 49.—"That if any person or persons shall at any time be sued or prosecuted for any thing by him or them done or executed in pursuance and under the authority of this act, such action or prosecution shall be commenced within the space of six months next after the offence shall have been committed; and that the defendant or defendants therein may plead the general issue, "not guilty," and give this act and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and under the authority of this act; and if the same shall appear to have been so done, that the jury shall find a verdict for the defendant or defendants; and if the plaintiff or plaintiffs shall become non-suit,

Indemnity for persons executing this act.
Limitation of actions.
General issue.

prisoners of war, or their said agent, shall not, under a penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers, any such negro, mulatto, or person of colour, until such bond is entered into, and oath taken as aforesaid; such penalty to be recoverable by action of debt, bill, plaint, or information, in the supreme court of judicature of this island; one moiety thereof to the informer, or person suing for the same, and the other moiety for and towards the support of the government of this island, and the contingent charges thereof."

Commission
and fee of the
agent for
prisoners;

not to extend
to vessels
from Africa.

Clause 13.—"That the commissioners appointed for the exchange of prisoners of war, or their agent in this island, shall, and they or he are and is hereby authorized and empowered to charge, and to receive from, the purchaser of such negro, mulatto, or person of colour, a commission, at and after the rate of five pounds *per centum*, on the amount of the sales of all such negroes, mulattoes, or persons of colour, who may be sold for exportation, under the provisions in this act contained; and that it shall and may be lawful for the said commissioners, or their agent in this island, to ask, demand, take, and receive, a fee of five shillings, for their or his trouble in receiving, into their or his charge, such prisoners as shall be taken on board each prize: **Provided always**, That nothing herein contained shall extend to vessels from the coast of Africa."

Such negroes,
&c. going at
large, may be
apprehended
and delivered
to the agent
who must con-
fine them;

and their own-
ers must give
security to ex-
port them in
thirty days;
and, if re-land-
ed, to be dealt
with as above.

Clause 14.—"That it shall and may be lawful, for any person or persons whatsoever, to apprehend, or cause to be apprehended, any such negro, mulatto, or person of colour, and him or her to deliver over to the commissioners appointed for the exchange of prisoners of war, or to their agent in this island; who are hereby directed and required, under a penalty of one hundred and fifty pounds, to confine such negro, mulatto, or person of colour, with the prisoners of war; and the proprietor or proprietors of such negroes, mulattoes, or persons of colour, so apprehended, are hereby required, under a penalty of two hundred pounds, to enter into security, such as shall be approved of by any two magistrates, to cause each such negro, mulatto, or person of colour, to be exported within thirty days, and not to be re-landed within this island; and in case any such negro, mulatto, or person of colour, so exported, shall at any time thereafter be found within this island, such negro, mulatto, or person of colour, shall become forfeited to the crown, and be re-sold for exportation, as is herein-before directed in respect to persons of that description, who may be sentenced to be sold by any decretal order of the court of vice-admiralty, or otherwise."

Clause

Clause 15.—"That all such negroes, mulattoes, or persons of colour, who shall, previous to exportation, be confined with the prisoners of war, shall be victualled at the same rate of such prisoners, the expence whereof shall be borne by the captors of such negroes, mulattoes, or persons of colour."

Prisoners of colour to be subsisted at the expence of the captors.

Clause 16.—"That the several gaol-keepers within this island shall, and they are hereby respectively required, forthwith to deliver over to the commissioners appointed for the exchange of prisoners of war, or to their agent in this island, all such herein-before described negroes, mulattoes, or persons of colour, as shall be in their custody, under the penalty of two hundred pounds for each such negro, mulatto, or person of colour, which any such gaol-keeper may refuse or neglect so to deliver; the said penalty to be recoverable, in a summary manner, before any two justices of the peace, in and for the parish, precinct, or district, wherein the offending gaol-keeper shall officiate in his said capacity."

Gaol-keepers to deliver over all such negroes in their custody to the agent for prisoners, under penalty.

Clause 17.—"That in case it shall so happen that, at the conclusion of the war, there shall remain in the custody of the commissioners appointed for the care and custody of prisoners of war, or of their agent in this island, any negroes, mulattoes, or persons of colour, and the captors shall refuse or neglect to repay their subsistence, it shall and may be lawful to and for the said commissioners, or their agent, to sell and dispose of such negroes, mulattoes, or persons of colour, for exportation; and the overplus, if any, to be paid over to such captors."

At conclusion of the war, negroes, &c. in custody of the agent, may be sold to defray their subsistence, if the captors refuse to repay it.

Clause 18.—"That all monies which shall have been advanced and paid by the said commissioners, or their agent in this island, for the subsistence of any such negroes, mulattoes, or persons of colour, who shall have been delivered over to the captors, or their agents, at the expiration of the act entitled, *An act for enforcing the instructions given to all captains or commanding officers, of ships and vessels having letters of marque and reprisals against the enemy, and for other purposes*, shall be recoverable at law by the said commissioners or their agent."

Expence of subsisting negroes, &c. delivered to captors at expiration of 38 Geo III. c. 3, recoverable by law. (Expired.)

Clause 19.—"That the captors, or their agents, shall, under a penalty of one hundred pounds for each offence, cause public notice to be given in the Royal Gazette, for two weeks previous to any sale being had and made, of the number of such negroes, mulattoes, or persons of colour, intended to be sold,"

Captors to give notice in Royal Gazette of prize negro sales.

Penalty may
be recovered
in a summary
manner.

Constable's
commission.

Application
of penalties.

Clause 20.—"That all penalties herein mentioned, and not declared how the same shall be recovered, shall be recoverable, in a summary manner, before any two justices of the peace for the parish or precinct, wherein the person becoming liable to such penalty shall or may reside; and which justices, in all cases of forfeiture and penalty under the authority of this act, and where the same is made recoverable before them, are hereby authorized and required, immediately after the judgment given in the premises, to enforce the payment thereof, by a warrant of distress on the goods and chattels of the offender, under their hands and seals, directed to any constable of the parish or precinct; and which said constable is hereby authorized and required, to proceed to a sale of the goods and chattels whereon he may levy or distrain, within such time as may be appointed by the said justices; and from and out of the amount of the sale, retain to himself a commission of ten pounds *per centum*, for his trouble therein; and that all forfeitures and penalties, the application whereof is not herein expressed, shall be one moiety to the person informing, and the other moiety for and towards the support of the government of this island, and the contingent charges thereof."

ANNO 42^o GEORGII III. CAP. 18.

Doubts having
arisen whe-
ther a verdict
of manslaugh-
ter can be
found for the
killing a slave,
it is hereby
declared it
may be, if it
does not ap-
pear to the
jury to amount
to murder.

Enacts, Clause 1.—"That "Whereas doubts have been entertained whether, upon the trial of a person for the killing of a slave, under the act of this island, in such case made and provided, a verdict of manslaughter can lawfully be found:" "That, from and after the passing of this act, in every such trial as aforesaid, where the offence shall appear to the jury trying the same, not to amount to murder, but to amount to manslaughter, a verdict of manslaughter shall and may be given."

CAP. 21.

After 31st De-
cember, 1801,
titles to slaves
to be tried in
ejectment ou-
ly, (replevins
depending ex-
cepted.)

Enacts, Clause 1.—"That from and after the thirty-first day of December, in the present year, all titles to slaves shall be tried in actions of ejectment only, and not otherwise (the cases of replevins which may be depending on the said thirty-first day of December only excepted); and which actions in ejectment shall be subject to the regulations and provisions hereinafter, in that respect, contained."

No affidavit of
possession ne-
cessary. De-
claration to be
filed and copy

Clause 2.—"That it shall not be necessary, previous to the bringing of any such action of ejectment, for the lessor or lessors of the plaintiff therein, to make any such affidavit as hath heretofore been required, concerning the possession of the slave or slaves
of

of which recovery is sought, in action of replevin; and the declaration, in every such action in ejectment, shall be filed in the office of the clerk of the supreme court of judicature of this island, in like manner as actions of ejectment for lands have heretofore been; and a copy for the tenant in possession, or if more than one tenant in possession, a copy for each such tenant in possession, attested by the clerk of the said court, in like manner as copies of declarations in ejectment for land have heretofore been attested, shall be lodged in the office of the provost-marshal-general of this island; whose duty it shall thereupon be, by himself or his lawful deputy, to serve every such copy, in like manner as copies of declarations in other kinds of actions are now, by law, to be served: And that, upon proof of service, made in such manner as proof of the service of other kinds of actions is required to be made, judgment shall be given by default against the tenant or tenants served, unless such tenant or tenants shall appear, confess lease, entry, and ouster, and plead not guilty."

served on each tenant. On proof of service judgment to be given by default against tenant, unless he appears and pleads.

Clause 3.—"That, in case it shall be alledged for any person or persons proceeded against, as such tenant or tenants, that he or they hath not, or have not, in his or their possession or power, the slaves whereof possession is sought by any such action, or some of such slaves in particular, such tenant or tenants may and shall plead, in abatement to such action, as to the whole of the slaves therein comprised, or as to part thereof in particular, as the case may be alledged to be, that such slaves which shall be named in such plea, or any of them, are not, nor were at the time of service of the action, in the possession or power of such person or persons so pleading; and that possession of the slaves named in such plea, or of any of them, has not at any time been changed, or altered in anywise, by or with the privity of the person or persons so pleading: And, to every such plea shall be annexed an affidavit (or, in the case of a quaker or quakers, a solemn affirmation), of the person or persons pleading the same, that, to the best of his or their knowledge and belief, the matters therein alledged are true; without which affidavit (or affirmation) no such plea shall be received: And in case, upon any such plea pleaded, the action shall be proceeded in to issue of fact joined, and upon trial thereof, a verdict shall be given against the person or persons so pleading, as to all or any of the slaves named in such plea, judgment shall be thereupon peremptorily given for the plaintiff, as to the slave or slaves comprised in such verdict: And in case, upon such issue joined, verdict shall be given against the plaintiff therein, and it shall appear to the court, before which such trial is had, that the action

Proviso, if tenant shall not have the slaves in possession, tenant shall plead in abatement as to such slaves as shall not be in possession of such tenant.

Affidavit of the truth of such plea to be made and annexed thereto.

If verdict against plaintiff, and it appear that the action is due

Heinous, he is
liable to pay
double costs.

was instituted maliciously or vexatiously, the lessor or lessors of the plaintiff shall be liable to pay double costs out of purse of the defendant or defendants therein, to be taxed by the clerk of the supreme court; whereof payment shall be enforced by order of court."

If plea is as to
part of slaves
in declaration,
action may be
proceeded in
as to the resi-
due.

Clause 4.—" That in every case of such plea pleaded, as to part only of the slaves comprised in the declaration, such action may be proceeded in, as to the residue of the slaves comprised in such declaration, in the same manner, in all respects to judgment and execution thereof had, as if such plea were not pleaded."

Lessor, &c. of
plaintiff, to
have access to
slaves com-
prised in de-
claration, giv-
ing notice.

Clause 5 —" That, in every such action of ejectment, the lessor or lessors of the plaintiff, his or their agent or agents, and witnesses, shall, from time to time, at all reasonable times, be allowed and have access to the slaves comprised in the declaration, or such of them as shall not be comprised in such plea in abatement thereof as aforesaid, to view and inspect the same, upon reasonable notice in writing given to the defendant or defendants, or his or their attorney in the cause, of an intention to have such view and inspection: And, in case it shall be sufficiently shewn to the court, in which any such action shall be triable, that, after such reasonable notice as aforesaid given, such access as aforesaid hath been refused, or not allowed, as to all or any of such slaves, then, and in every such case, such court shall and may thereupon give peremptory judgment against the defendant or defendants, as to all the slaves comprised in the declaration in the cause, or such of them as may not be comprised in such plea in abatement thereof as aforesaid."

If access re-
fused, after
notice, judg-
ment to be
given against
defendant.

If witness for
plaintiff refuse
to view and
inspect slaves,
he may be
proceeded
against as if
under subpoena.

Clause 6. —" That in case any person, being considered by the lessor or lessors of the plaintiff in any such action, to be a material witness for him or them therein, shall refuse or neglect to take or make any such view or inspection as aforesaid, reasonable notice in writing having been given to such person so considered to be a material witness, of the intended view and inspection, and tender having been made to such person, of his reasonable expences to be thereby occasioned, it shall and may be lawful for the supreme court of judicature, in every such case, to proceed against such person, in like manner in all respects, as if such person had not obeyed a writ of *subpoena* to testify in court in any cause."

Judgment to
be entered
the same as in

Clause 7.—" That, for executing and enforcing every such judgment as shall be given against any defendant or defendants, in any manner as aforesaid, a writ of possession, and also a writ of execution

execution for the costs of suit, shall be lodged and issued, as in cases of judgment in ejectment for land; for the purpose of executing which writ of possession, it shall and may be lawful to and for the provost-marshal-general, or his lawful deputy, and the provost-marshal-general, or his lawful deputy, is hereby required, whenever it shall be necessary to that end, to enter by force into any close messuage or tenement, and to call forth the power of the county to be aiding and assisting to him, in the execution of such writ: And in case any slave or slaves, comprised in any such writ of possession, shall be removed, secreted, kept out of the way, withheld, or not produced, to the provost-marshal, or his lawful deputy, so that such writ cannot be executed, either in whole or in part, the supreme court of judicature of this island shall and may proceed, by attachment and by fine and imprisonment thereunder, against the defendant or defendants in such writ; and all and every, or any other person or persons, by whom or by whose procurement or means the execution of such writ shall be prevented, either in part or in whole, as in any other case of contempt of court; and further to set and impose a penalty upon such defendant or defendants, not exceeding the sum of fifty pounds for every slave, in respect to which such writ shall so be unexecuted; which penalty shall be levied by the provost-marshal-general, or his lawful deputy, under and by authority of an order of court, in that behalf made; and, for the purposes of executing every such attachment, and levying every such penalty, the provost-marshal, or his lawful deputy, is hereby authorized, empowered, and required, to act and do, as is herein before provided, in respect to the execution of writs of possession; and such proceedings as aforesaid, for executing and enforcing every such judgment, shall and may be had, from time to time, as often as there may be occasion, for the having full execution of every such judgment."

cases of judgment in ejectment.

In cases of concealment, court empowered to proceed by attachment, &c.

Penalty of 50*l*. for each slave concealed.

Clause 8.—"That upon complaint made on oath to the supreme court of judicature, that such writ has been wrongfully or erroneously executed, by the delivery thereunder of any slave or slaves, particularly named in such complaint, such court shall thereupon proceed and do what to right and justice shall appertain, in like manner as such court may proceed and act upon complaint made of a wrong execution of any writ of possession, and under such rules and regulations as the said supreme court shall, from time to time, in that behalf, make and establish."

If the writ be wrong executed, the court empowered to rectify the same.

Clause 9.—"That a writ of error, brought upon any such judgment in ejectment for slaves (such security being first given as heretofore

Writs to stay execution not effective unless security

be lodged pursuant to 17 Geo. III. c. 16.

Writ subject to provisions of said act, and damages those generally committed after judgment.

Actions in ejectment may be substituted under this act, and judgment given against defendant unless he appear, confess lease, &c. and plead not guilty.

Proviso, similar to that contained in cl. 3, if ejectionment not returned, and defendant be not in contempt.

heretofore hath been and now is used and accustomed, previous to the issuing of writs of error in other cases), shall be a *supersedeas* or stay of execution: **Provided always**, That such security shall be given to the lessor or lessors of the plaintiff, as in and by an act of the governor, council, and assembly of this island, entitled, *An act to avoid unnecessary delays of execution*, is required to be given in cases of a writ of error brought upon a judgment in any action of *ejectione firmæ* therein mentioned: And that, unless such security shall be given, no such writ of error shall be a *supersedeas* or stay of execution: **And provided also**, That every case of a writ of error brought upon a judgment in ejectment for slaves, shall be subject to such further provision as in the said act contained, in respect of mesne profits and damages, committed after any judgment in *ejectione firmæ* therein mentioned; and with this addition, that every inquiry and judgment of mesne profits, and of damages, to be had under this proviso, shall be not of damages by waste committed after judgment, but of damages generally committed after judgment."

Clause 10 — "That in every action of replevin for obtaining possession of slaves, by force of title now depending, or which may be depending on the said thirty-first day of December, where it shall appear that the defendant or defendants therein have, or hath in anywise had, notice of the commencement of such action, it shall and may be lawful for the plaintiff or plaintiffs to substitute an action of ejectment for such action in replevin, which action of ejectment shall be filed in the supreme court of judicature sitting next after the said thirty-first day of December: And, upon every such action of ejectment, judgment shall be given by default against the person or persons who was or were the defendant or defendants, in the action of replevin for which such action of ejectment is substituted, unless such person or persons shall appear, confess lease, entry, and ouster, and plead not guilty: **Provided always, and it is hereby further enacted by the authority aforesaid**, That in any such action of ejectment, to be substituted for an action of replevin as aforesaid, where neither the defendant or defendants shall have pleaded to such replevin, nor an ejectionment shall have been returned, nor such defendant or defendants shall be otherwise in contempt; and when it shall be alleged for such defendant or defendants, that he or they hath not, or have not, in his or their possession or power, the slaves whereof possession is sought by such substituted action of ejectment, or some of such slaves in particular, such defendant or defendants may and shall plead such plea in abatement, and with such affidavit, or affirmation, annexed,

as

as is herein before provided, in cases of action of ejectment to be brought for slaves, after the said thirty-first day of December: **Provided also, and it is hereby declared, in express exclusion of any construction to the contrary,** That where, in any such action of replevin as aforesaid, any defendant or defendants shall be in contempt, such defendant or defendants shall be liable to be proceeded against, for and in respect of his, her, or their, contempt, in the same manner in every respect, as if an action of ejectment were not substituted for such action of replevin."

If defendant be in contempt, he may be proceeded against as if the one action had not been substituted for the other.

Clause 11.—" That every such action of ejectment, so to be substituted as aforesaid, shall be subject, in all other respects whatsoever, to all and every the regulations and provisions herein before made, for, touching, and concerning, actions of ejectment for slaves, to be brought after the said thirty-first day of December."

Actions under this act, subject to regulations, &c. as in ejectment for slaves.

Clause 12.—" That it shall and may be lawful for the supreme court of judicature of this island, from time to time, to make such rules, touching and concerning the proceeding in actions of ejectment for slaves under this act, as may seem meet for the purposes of justice, so as such rules be not repugnant to, or inconsistent with, the regulations and provisions hereby made, or any of them."

Supreme court to make rules, &c. touching proceedings under this act.

Clause 13.—" That, from and after the passing of this act, in all actions of replevin now depending, or hereafter to be brought, against any provost-marshal, or deputy, or collecting constable, or other officer or person, for slaves levied or distrained, it shall not be necessary for the plaintiff or plaintiffs, being in possession of such slaves at the time of the levy or distress being made, to give evidence of his or their title, otherwise than by possession: But that it shall be incumbent on the person or persons defending, or causing to be defended, any such action, to make out and sustain the validity of the levy or distress made."

In actions of replevin, it shall not be necessary to give other evidence of title than possession.

Clause 14.—" That no replevin shall issue against any provost-marshal, or deputy-marshal, for any slave or slaves levied upon under any writ or writs of *venditioni exponas*, without an affidavit first made, that the plaintiff or plaintiffs in the action of replevin, is not or are not liable to the payment of the debt or debts for which the slave or slaves named in the replevin hath or have been levied on; and that such replevin is not brought for the purpose of eluding, evading, or delaying, the effect of any writ of *venditioni exponas*, but for protecting and preserving the right and interest of the plaintiff or plaintiffs in such replevin, or the right and interest of

No replevin to issue for slaves levied on under writs of *venditioni*, without affidavit that plaintiff is not liable for debt for which levy made, and only for protecting the rights of another.

of some person or persons other than the person or persons liable to the payment of such debt or debts as aforesaid, in and to the slave or slaves named in such replevin: and every such affidavit is to be annexed to the declaration in the cause, and to be therewith filed in the office of the clerk of the supreme court of judicature."

ANNO 43^o GEORGII III. CAP. 30.

No person to exercise the functions of a preacher, unless legally qualified, under penalty of being deemed a rogue and a vagabond.

Enacts, Clause 1.—"That, from and after the passing of this act, in case any person, not duly qualified and authorized, or permitted, as is directed by the laws of this island and of Great-Britain, shall, under the pretence of being a minister of religion, presume to preach or teach, in any meeting or assembly of negroes or people of colour, within this island, every such person shall be deemed and taken to be a rogue and a vagabond, and within the intent and meaning of this act, and be punished in the manner hereinafter directed"

Three magistrates may judge such offenders, and, if convicted, sentence them to certain punishments.

Clause 2.—"That it may and shall be lawful, for any magistrate of the parish wherein the offence aforesaid shall be committed, on complaint made to him on oath, or upon his own hearing or view, to cause the offender to be apprehended and committed to the common gaol, and shall forthwith associate with himself two other justices of the peace of the same parish, and have authority to summon all persons, capable of giving evidence, to appear before them; which three magistrates, so associated, shall, upon the due conviction of the offender, adjudge him or her, if of free condition, to be committed to the workhouse, there to be kept to hard labour, for the first offence, for the time of one month, and for every subsequent offence, for the time of six months each; and in case the offender shall be a slave, such offender shall, for the first offence, be committed for hard labour to the nearest workhouse, for one month, and, for every subsequent offence, be sentenced to receive a public flogging, not exceeding thirty-nine lashes: **Provided always,** That whenever the offence committed by a white person, shall appear of extraordinary heinousness, it shall and may be lawful for any one or more of the justices of the peace, and he and they are hereby required, to secure the appearance of every such offender at the next subsequent supreme or assize court, by sufficient bail or commitment, to answer for the offence, and, on conviction, to suffer such punishment as such court shall see fit to inflict, not extending to life."

Proviso. When a white person commits such offence as appears heinous, he may be held to bail, to answer at grand court.

Penalty on persons suffering.

Clause 3.—"That, from and after the passing of this act, in case any owner, possessor, or occupier, of any house, out-house, yard,

yard, or other place whatsoever, shall knowingly permit any meeting or assembly of negroes or people of colour, for the purpose of hearing the preaching or teaching of any person, of the description herein-before declared to be a rogue and a vagabond, every person so permitting such meeting or assembly shall, on conviction thereof, before the court of quarter-sessions of the same parish or precinct, incur a fine not exceeding one hundred pounds, at the discretion of the said court, and be committed to the common gaol until such fine be paid, and until the offender shall have given security for his future good behaviour, by recognisance, for such time, and in such sum, and with such sureties, as the court shall judge fit."

leg illegal preaching, on their premises, to negroes or people of colour.

ANNO 48^o GEORGIUM III. CAP. 4.

Enacts, Clause 7.—"That it may and shall be lawful for the said commissioners, or any two of them, under the order of the commander in chief for the time being; to raise such a number of negro or other slaves, for arms or baggage, as to them may appear necessary, to be sent out with any party raised and fitted out under the authority of this act: ~~Provided~~ **always**, That the number of slaves which shall be required from the several and respective estates or individuals in any parish, or district of a parish, shall be in proportion to the whole number belonging to such estate, or individual."

Commissioners under party act empowered to raise shot and baggage negroes for parties; **Provide.**

Clause 9.—"That the said commissioners, or any two of them, shall cause notice to be given, by warrant under their hands and seals, at each estate, or to each individual, in the respective parish or district of any parish, of the particular proportion of shot and baggage slaves, horses, mules, draught-cattle, carts, wains, or waggons, as they are so required to send as aforesaid; and the shewing of the warrant to the master, owner, or any other person who shall have the care or charge of such estates, or of any number of slaves, horses, mules, draught-cattle, carts, wains, or waggons, shall be held and taken for sufficient notice."

Notice to be given to estates of allotments of slaves, cattle, &c.

Clause 10.—"That in all cases where a master, owner, or overseer, or other person, entrusted with the care or charge of any plantation or settlement, or of any number of slaves, horses, mules, draught-cattle, carts, wains, or waggons, shall, on notice given, refuse or neglect to send the proportion of good and able slaves, or of horses, mules, draught-cattle, carts, wains, or waggons required, such as shall be approved of by the said commissioners, every person so offending shall forfeit the sum of one hundred pounds; but if it shall appear that such default did not happen through the direction of

In case of refusal to furnish allotments, a fine of 100^l. may be imposed.

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the master or owner, but by refusal or neglect of the overseer, in such case the overseer, or person entrusted, shall be liable to such penalty."

and a warrant
for impressing
to be issued.

Proviso.

Clause 11.—"That upon every such neglect or refusal as aforesaid it may and shall be lawful for the said commissioners, or any two of them, to authorize, by warrant under their hands and seals, the impressing and taking the number of good and able slaves, and of serviceable horses, mules, draught-cattle, carts, wains, or waggon, which shall have been required as aforesaid: **Provided always,** That no chief boiler, head driver, or tradesman, shall be so impressed."

Slaves to be
valued, and if
killed or dis-
abled their
owners to re-
ceive ade-
quate compen-
sations;

to be paid by
receiver-gene-
ral, on produc-
tion of certifi-
cate.

If not paid, to
bear interest
from date.

Clause 14.—"And whereas slaves, serving in such parties as may be fitted out under the authority of this act, may be killed or disabled: **Be it enacted by the authority aforesaid,** That all and every such slave or slaves who shall be employed in such parties, shall previous thereto be valued and appraised by the said commissioners, or any two persons to be appointed by them, and that such valuation shall not exceed the sum of two hundred pounds: And, in case any slave or slaves shall be killed, the master or owner of such slave or slaves shall receive for every slave, so killed, the sum at which the said slave shall have been valued; and in case any such slave or slaves shall be disabled by loss of limb, the master or owner of such slave or slaves shall receive such sum as shall appear to be the difference in the value of such slave or slaves, at the time of being valued as aforesaid, and upon a revaluation to be made by the said commissioners, after such slave or slaves shall become so disabled as aforesaid: Which said several sums the receiver-general for the time being shall, and he is hereby directed and required to, pay out of any monies in his hands unappropriated, unto the master or owner of every such slave or slaves so killed or disabled as aforesaid, on a certificate being produced to him, under the hand of the commanding or senior officer of the party to which such slave or slaves belonged, that such slave or slaves was or were so killed or disabled in the party under his command, or of which he was senior officer: And in case the said receiver-general shall not have in his hands money sufficient to answer such purpose, he is hereby authorized and empowered to certify on the back of such certificate that the holder or holders thereof shall be entitled to receive, out of the public treasury of this island, the sum therein mentioned, with interest from the dates thereof respectively, at six pounds *per centum per annum*; and such certificate shall be received in payment of all duties and public taxes whatsoever, the revenue-
duties

~~Duties excepted:~~ ~~Provided nevertheless,~~ That if any slaves, horses, mules, or cattle, die or are lost in the service, and are paid for by the public, in all such cases no hire shall be allowed; and the value of the horses and mules shall be estimated at a sum not exceeding forty pounds respectively, and for cattle *per* head at a sum not exceeding thirty pounds."

No hire allowed for slaves, &c. dying in public service if paid for.

Clause 18.—"That over and above the pay hereinbefore allowed to the parties sent out under the authority of this act, each party shall have and receive the sum of fifteen pounds, and no more, for every rebellious negro, mulatto, or other slave, they shall kill; and the sum of twenty pounds, and no more, for every such rebellious slave as they shall take and bring in alive; and for every runaway slave above the age of fourteen years, the sum of ten pounds, and no more; and forty shillings for every negro, mulatto, or other boy or girl, under fourteen years of age, which such party shall bring in alive: Which said reward or rewards shall be paid to the commanding officer of such party, by the receiver-general, out of any public money in his hands unappropriated, upon an affidavit of such commanding officer being produced to him, attested in the manner hereinafter directed, that the slave or slaves, for the killing or taking of whom he claims such reward or rewards, was or were killed or taken by the party under his command: ~~Provided always,~~ That when any party shall kill any rebellious slave, the commanding officer, or any two other officers of such party, shall be obliged, and are hereby directed, to view the body of such slave so killed, and to certify under his or their hand or hands, and on oath, the age, quality, sex, and mark, of such slave which hath been killed, and to produce personally all such slaves as have been taken prisoners, to the commissioners, or any two of them, appointed by this act as aforesaid, for the parish from whence such party was sent out; who, in such case, are hereby empowered and directed to attest the affidavit of the commanding officer of such party as aforesaid, and not otherwise."

Rewards to parties for taking or killing rebellious slaves.

How the fact is to be ascertained.

Clause 19.—"That, in order to prevent any disputes that might arise about dividing the reward or rewards as aforesaid, the commanding officer of every such party as aforesaid shall be authorized, and he is hereby directed, to distribute one-sixth part of all such rewards, in equal shares, amongst the commissioned officers of such party, and the remaining five parts amongst the non-commissioned officers and privates, and the slaves bearing arms or baggage serving in such party, in the proportion of one-third less to each such slave, to the said non-commissioned officers and privates, (being

Distribution of such rewards.

(being free men) of such party; which share of the rewards as aforesaid, hereby allotted for such slaves, shall be paid to such slaves themselves, for their own private use and particular encouragement, and not to their owners or proprietors."

Rebellious
slaves taken to
be committed
to gaol.

Clause 20.—"That all slaves, whether rebellious or only run-away, who shall be taken by any party sent out as aforesaid, and brought in alive by them to the commissioners appointed as aforesaid by this act, shall be committed by them, or some one of them, to the gaol of the parish for which such commissioners shall be appointed; and in case there should be no gaol in such parish, to the gaol of the precinct, or of the county, in which such parish shall be situated; and the keeper of such gaol, or the deputy-marshal, shall be, and he is hereby, required, under the penalty of twenty pounds, to receive and detain in safe custody every such rebellious or runaway slave, until such slave shall be delivered by due course of law."

Officers, pri-
vates, and
slaves of par-
ties free from
arrest.

Clause 24.—"That the provost-marshal-general of this island, or any of his deputies, shall not, on any pretence whatsoever, presume to take or arrest any of the officers or men, or the slaves, employed in any party by virtue of this act, or within thirty days after they, and each of them, are respectively discharged, nor in the time of his going to, or coming from, the place of duty or rendezvous of such party, under the penalty of fifty pounds, and of being further liable to an action of false imprisonment; and, in case of any such arrest, it may and shall be lawful for any one of his majesty's justices of the peace, for the parish where such person or persons shall be arrested, and such justice is hereby required, immediately to release him or them from such imprisonment."

CAP. 20.

Slaves to be
allowed 5s. per
week for
maintenance
when confined
in the gaols of
this island;
also necessa-
ries when sick.

Clause 1.—"That there shall be allowed and paid by the week for subsistence to every negro and other slave confined in any of the county-gaols of this island, the sum of five shillings, by the keeper of the said respective gaols, under the penalty, on every such gaol-keeper, for every neglect or refusal, of ten pounds, to be recovered in a summary manner before any two magistrates of the parish or precinct wherein such deputy-marshal shall neglect or refuse to pay such allowance as aforesaid, ~~Provided nevertheless~~ And the said gaol-keeper is hereby required, under the like penalty, to be recovered in manner aforesaid, to furnish and supply every such debtor or slave as aforesaid, being sick, with such necessaries as the physician or surgeon having the medical superintendence of such

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Each gaol shall direct in writing to be provided: and, in order to make compensation to the said gaol-keepers for such sums as they shall advance under and in pursuance of this act, it shall and may be lawful for the said gaol-keepers to charge in their accounts at and after the rate of six pounds *per centum per annum* on all sums actually advanced by them from the time of their respective advances, and which shall be allowed and paid the said gaol-keepers."

ANNO 50^o GEORGE III. CAP. 20.

Enacts, Clause 2.—"That no slave shall sell or dispose of, or offer to sell or dispose of, any quantity of coffee, sugar, rum, pimento, or sugar-canes, under penalty of a whipping of thirty-nine lashes, by order of any justice of the peace, and forfeiture of such articles, to be sold for the benefit of the poor of the parish."

Punishment on slaves selling coffee, sugar, &c.

Clause 4.—"That no slave shall have in his possession, when absent from the property to which he or she may belong, any quantity of coffee, sugar, rum, pimento, or sugar-canes, under the penalty of a whipping of thirty-nine lashes, by order of any justice of the peace, and forfeiture of such articles, to be sold for the benefit of the poor of the parish, unless such slave shall be furnished with a ticket from his owner, overseer, or other white person in the employ of his owner, specifying the quantity of each of the aforesaid articles in possession of such slave, and the name or names of the person or persons by whom and to whom the same is sent, or unless such slave shall be accompanied by some white person in the employ of his said owner."

Slaves, when absent from their owner's property, not to have any coffee, &c. in their possession, without such ticket as hereby required.

Clause 5.—"That no person shall purchase, or agree or offer to purchase, from any slave, any quantity of coffee, sugar, rum, pimento, or sugar-canes whatsoever, under penalty of fifty pounds: **Provided,** That nothing herein contained shall be construed to exempt any person, so purchasing, from any pain or penalty as a receiver of stolen goods."

Penalty on persons purchasing coffee, &c. from slaves.

CAP. 21.

Enacts, Clause 2.—"That no slave shall be free by becoming a Christian; and for payment of debts and legacies all slaves shall be deemed and taken as all other goods and chattels are in the hands of executors or administrators; and, where other goods and chattels are not sufficient to satisfy the said debts and legacies, then so many slaves as are necessary for the payment of debts and legacies shall be sold, and the remaining slaves, after the payment of the said debts and legacies, shall be judged, deemed, and taken

Slaves not to be free by becoming Christians.

they are to be taken for debt when no other effects can be got.

Their children stand in the parents situation.

Proviso respecting leased slaves.

as inheritance, and shall accordingly descend; and all children of slaves, born in the possession of tenant for life or years, shall remain or revert, as the parents do or should have done, to him or her, in reversion or remainder, after expiration of such term of years after the death of tenant for life or tenant in tail, after possibility of issue extinct: ~~Provided nevertheless~~. That nothing in this clause shall extend, or be construed to extend, to leases heretofore made; any thing in this or any other act to the contrary in anywise notwithstanding."

Slaves for dower may be taken for debts.

Husband's sale of his slaves to bar the widow.

Clause 4.—“ That all slaves assigned for dower shall be liable proportionably with those belonging to any heir or heirs, to the payment of debts, but not of legacies, any thing to the contrary notwithstanding: ~~Provided~~. Nothing in this act contained shall extend to hinder any person, possessed in his own right of any slave or slaves, to sell, or by gift or otherwise, dispose of, such slave or slaves as he shall think fit during his life-time, which sale, gift, or disposal, shall be a perpetual bar to his wife from any claim of dower in such slave or slaves."

Toll-books to be kept, where in entries must be made of slaves bought and sold.

Substance of the entries, which shall contain titles,

but such entries not to be effectual to transfer slaves of a femme covert.

Punishment for erasure of entries,

also for a clerk's refusing to make

Clause 5.—“ That the clerks of the peace, or clerks of the vestry where no clerks of the peace are, of the several parishes and precincts within this island, shall keep a distinct book, in which it shall and may be lawful for all persons resident within the parish or precinct where such book is kept, to cause entries to be made of all slaves sold and disposed of, and agreed to be conveyed by toll; in every which entry shall be expressed the time of the sale made, the names of the vender and vendee, the name and mark of the slave or slaves, with the consideration for which sold; which said entry or toll, if the seller is lawfully authorized to sell or dispose of such slave or slaves, shall be as good and valid to ratify and confirm the said sale or sales as if the same had been by deed or writing under hand and seal, and shall be held, deemed, and adjudged to be a sufficient record and evidence in any court of record within this island: ~~Provided~~ always, That no entry by way of toll shall be effectual to transfer and convey the slaves of a femme covert, but that such slaves shall only be transferred and conveyed by deed, executed and proved in the same manner as is required to deeds for barring dower: And if any person shall raze, injure, or destroy, any such entry or toll, the person so offending, on being convicted in the supreme court, or any court of assize within this island, shall suffer such punishment as the laws has provided against such as raze, injure, or destroy, records; and if any clerk by whom such book is directed to be kept shall refuse or

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or neglect to make such entry, on receiving or having tendered to him the legal fee, he shall forfeit to the party or parties injured the sum of ten pounds for every such offence, to be recovered in a summary way before two or more magistrates of the parish or precinct, and to be levied, by warrant under their hands and seals, on the goods and chattels of the offender."

such entry
when legal
fee tendered.

ANNO 53rd GEORGE III. CAP. 25.

Enacts, Clause 7.—"That if any person or persons whatsoever, besides those empowered by the custos or justices of the peace, or by the said officer of the customs, or the constables, as aforesaid, shall enter, or endeavour to enter, on board of any such ship or vessel so in distress or danger as aforesaid, without the leave or consent of the commander or other superior officer of the said ship, or of the said officer of the customs, or the said constables, or some or one of them employed for the preservation of the said ship or vessel as aforesaid, or in case any person shall molest him, them, or any of them, in the saving of the said ship, vessel, or goods, or shall endeavour to impede or hinder the saving of any such ship, vessel, or goods, or when any such goods are saved, shall take out or deface the marks of any such goods before the same shall be taken down in a book or books for that purpose, provided by the commanding or ruling officer and the officer of the customs aforesaid, such person or persons shall, within twenty-eight days, make double satisfaction to the party grieved, at the discretion of any three or more of the next justices of the peace, and in default thereof shall be committed to the common gaol of the county wherein such offence shall be committed, for the space of six calendar months: **Provided always,** That if any slave shall commit such offence, such slave, upon due and proper proof thereof, shall, upon conviction at the ensuing slave-court, be punished with transportation or confinement to hard labour for life, or a limited time, or with such other punishment as, according to the circumstances with which such offence shall have been committed, the court shall in their discretion think proper to inflict."

Punishment
to be inflicted
on persons en-
deavouring to
enter without
leave on
board, or pre-
venting the
saving of any
vessels.

Proviso in re-
gard to slaves.

Clause 11.—**Provides,** That if a slave shall unlawfully carry or convey, or conceal, any of the cargo or effects of a vessel lost or stranded, such slave "shall be punished with confinement to hard labour for life or a limited time, or such other punishment, according to the circumstances of the case, as the slave-court, by whom such slave is hereby directed to be tried, shall in their discretion think proper to inflict:" and the same punishment, as well as transportation, according to circumstances, is provided by the following clause, if found offering such goods for sale.

Proviso in re-
gard to slaves.

Clause

SLAVE LAWS OF JAMAICA.

Clause 13.—**Prohibes,** That slaves assaulting, beating, or wounding, any justice of the peace, custom-house officer, or person lawfully authorized, in the exercise of their duty or in or concerning salvage, or preservation of any vessel in distress, to be punished with death, transportation, or confinement to hard labour for life, or for a limited time.

ANNO 54^o GEORGE III. CAP. 17.

On representation of justices and vestry of any parish, governor empowered to authorize them to hire and fit out parties of confidential slaves to go in pursuit of runaways, and to appoint officers thereto.

Enacts, Clause 1.—“ That it shall and may be lawful for the governor, or person exercising the functions of government for the time being, on the representation of the justices and vestry of any parish in this island, that hordes of runaway or rebellious slaves, dangerous to the peace of the community, are collected within or in the neighbourhood of the parish, to authorize the justices and vestry of any parish within this island, when and as often as to the said governor, or person exercising the functions of government, it shall, on such representation, appear necessary or expedient, to raise such number of negro and other slaves, or persons of free condition, as to them shall seem meet, and at such hire as can be agreed on between the said justices and vestry and the owners of such slaves, to go in pursuit of, and to take, bring in, or destroy, all such runaway or rebellious slaves, as may be assembled in the said parish or neighbourhood, and to appoint officers for commanding such parties ; and such party, so to be sent out, shall be supplied with good arms, accoutrements, and ammunition, by the justices and vestry, and at the expence of the said parish : **Provided** always, That with every such party of slaves there shall be at least one white person for every twenty negro or other slaves.”

Proviso.

Such officers and non-commissioned officers to be appointed by warrant under hand of custos or senior magistrate ; and they are to be paid agreeably to the rate allowed by 48 Geo. III. cap. 4.

Clause 2.—“ That the officers and non-commissioned officers, employed to command and conduct such parties, shall be appointed by warrant under the hand and seal of the custos, or senior magistrate, presiding at any vestry, on the nomination of the majority of the justices and vestrymen present when the said officers shall be appointed, under the authority to be given by the governor, or person exercising the functions of government, as aforesaid ; and that such officers, non-commissioned officers, and others, employed in any such party, shall be allowed and paid at and after the rate allowed in and by an act, passed in the forty-eighth year of the reign of his present majesty, commonly called the party law, during such time as such officers shall be employed in actual service.”

Besides their pay and hire,

Clause 3.—“ That over and above the said pay and hire of the negroes, employed in such parties, the said parties shall be allowed the

SLAVE LAWS OF JAMAICA

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the like rewards for taking or killing rebellious or runaway slaves; as are in and by the said act, allowed to be distributed in the proportions and manner thereby directed."

such parties are to be allowed the like rewards as are granted by the above act.

Clause 4.—"That all and every the slave or slaves, who shall be employed in such parties, shall previously be valued and appraised by the said justices and vestry, or any two persons, to be appointed by them, such valuation not to exceed the sum of two hundred pounds; and in case any slave or slaves shall be killed, the master or owner of such slave or slaves shall receive for every slave so killed the sum at which the said slave shall have been valued; and, in case any such slave or slaves shall be disabled by loss of limb, the master or owner of such slave or slaves shall receive such sum as shall appear, upon a revaluation, to be an adequate compensation, not exceeding one hundred pounds; such revaluation to be made by the said justices and vestry, or two persons, to be by them appointed, after such slave or slaves shall become so disabled as aforesaid."

All slaves, going on such parties, are to be valued and appraised,

and, if any be killed, the owner to be allowed such value; and if any be disabled, adequate compensation to be given.

Clause 5.—"That the said justices and vestry shall and may, and they are hereby authorized and required to, raise and levy on the inhabitants of the parish, where such party or parties may be fitted out, such sum or sums of money as may be requisite and necessary for the pay, hire, maintenance, and rewards, to which such party or parties may be entitled, and as may be required to pay for such slave or slaves as may be killed or disabled in such party or parties, to be received, levied, and enforced, as the other parochial taxes: ~~Provided~~ *Provided* always, That nothing herein contained is meant or intended to interfere with the hereinbefore mentioned party law, or militia law, or any of the articles, matters, and things, therein contained."

Tax to be levied on each parish for defraying the above expences.

Provide:

Clause 6.—"That, in case two or more parishes shall join in fitting out parties, the officer, whose warrant, signed as aforesaid, shall be of the oldest date, shall take the command of such joint parties; and the other officers shall take rank and command according to the date of the warrants, under which they shall be then actually acting and receiving pay."

In case two parishes join to fit out parties, officer, whose warrant is of the oldest date, is to have the command.

ANNO 57° GEORGE III. CAP. 16.

Enacts, Clause 1.—"That all and every person and persons, who shall be present in this island on the twenty-eighth day of June next, after the passing of this act, and shall then be in the possession of any slave or slaves within the same, whether as

Persons present in this island on the 28th June 1817, and in possession of slaves, as owners

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owner

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or otherwise, to render in, on the 28th of September following, to the vestry in each parish, true and perfect lists or returns of such slaves, in the manner and form herein specified.

owner, mortgagee, trustee, guardian, executor, administrator, sequestrator, committee, receiver, assignee, lessee, attorney, agent or otherwise howsoever, do and shall, on or before the twenty-eighth day of September then next, render in to the clerk of the vestry of the parish, where such slave or slaves, so possessed as aforesaid, shall be considered to be most permanently settled, worked, or employed, a true and perfect list or return in writing, or true and perfect lists or returns in writing, of all and every slave and slaves so possessed by him, her, or them, and so settled, worked, or employed, within such parish as aforesaid." *[Here the particular form of giving-in is minutely described, but omitted, as well as the two following clauses, the whole having been already complied with.]*

Triennial returns to be made, in form and manner herein specified.

Clause 4.—"That all and every person and persons, who shall be present in this island on the twenty-eighth day of June, one thousand eight hundred and twenty, and in every third succeeding year, and shall then be in possession of any slave or slaves within the same, whether as owner, mortgagee, trustee, guardian, executor, administrator, sequestrator, committee, receiver, assignee, lessee, attorney, agent, or otherwise, howsoever, do and shall, on or before the twenty-eighth day of September then next ensuing, render in to the clerks of the vestry of the parish, where such slave or slaves so possessed shall be considered to be most permanently settled, worked, or employed, a true and perfect list or return in writing, according to the schedule, marked B, hereunto annexed; which shall state, in the first place, the total of males and females contained in the last return, and shew the increase and decrease, if any there be, in the same, and shall state the name of every slave constituting part of such increase and decrease, beginning with the males, and distinguishing where the list of males ends and the list of females begins, and the colour, reputed age, and whether African or creole, in the columns so respectively entitled; and in the column entitled "Remarks" the names of the mothers of children, if both mother and child are in the same list; and as to any runaways for more than three months then next preceding the word "Runaway;" and further, in the case of increase, such return shall state, in the column entitled, "Increase, and cause thereof," whether the increase has been by births, acquisitions, or removal from any other parish, or the coming back of old runaways; and in case of births, then the names of the mothers shall be specified respectively opposite to the names of the children born; and in case the same shall be by acquisition, then it shall be stated, opposite to the name of every such slave in the said increase column,

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whose name, and in what particular list or return, such acquired slave stood enrolled at the last preceding period for making returns under this act, or if born since, then in whose name, and in what particular list or return, the mother of such newly acquired slave stood enrolled at that period; or should such acquisition have been made of any slave or slaves lawfully imported into this island since the last return, then it shall be stated in the said increase column that the same was or were so imported, and the port or place at which such importation was made, and the name of the vessel and master; and if such increase should be by removal merely from any other parish of this island, the slave being in the same possession, then such removal shall be mentioned in the increase column, with the name of the parish from whence removed; and should such increase have been by the coming back of any runaway, who may have been absent above three years, then in the said increase column such coming back of such runaway shall be specified: And in case of decrease such return shall state, in the column entitled, "Decrease, and cause thereof," opposite to the name of every such slave constituting a part of such decrease, whether the same shall have been by death, grant, sale, or manumission, or by removal to any other parish in the same possession, naming the parish, or by the lapse of three years since the first running away of any slave standing enrolled in the last preceding return, for the same person or persons or estate: And at the foot of every such return required by this clause, there shall be stated, in distinct lines, the total number of slaves in possession on the twenty-eighth day of June, in the year for which such return shall be made, also in like manner the total number of births and of deaths since the last return; And the same shall be verified by the oath (or, in case of a quaker, by his affirmation) of the person or one of the persons, if there be more than one, making such return, to be subscribed by the party and subjoined to the said return, and to be made and taken in the form and manner, and before the like judges and justices, as already enacted with respect to the verification of returns to be made for the twenty-eighth day of June, one thousand eight hundred and seventeen: And every such return, so to be made on the twenty-eighth day of September, one thousand eight hundred and twenty, and at any succeeding period for making the triennial returns required by this clause, if made for any person or persons, or estate for whom there shall have been no prior return made, shall be in every particular, as near as circumstances will admit, in like manner as the return in respect to increase for, or on account of, any person or estate, for whom a former return shall have been made: ~~Provided~~ ^{Provide} always, That tenants by parol of any slave or slaves

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Receiver-general to provide printed forms of triennial returns.

Clerks of vestries to receive no returns unless made on such printed forms.

Regulation with respect to the slaves belonging to the crown.

Penalty on clerks of vestries receiving returns beyond the times herein specified.

Exceptions with respect to accidents and unavoidable causes.

Slaves shall not be bound to make the triennial returns required by this clause, except as before excepted in the first clause of this act, but all such triennial returns required by this clause, in respect to slaves so held by parol, shall be made as required in respect to the return to be made for such slaves on the twenty-eighth day of September, one thousand eight hundred and seventeen, by the said first clause of this act : And, in order to avoid as much as possible all irregularities and mistakes in making such triennial returns as are required by this clause, the receiver-general shall provide, at the expence of this island, a sufficient number of printed forms, according to the schedule, marked B, hereinto annexed, to be lodged in convenient time before the twenty-eighth day of June, one thousand eight hundred and twenty, and so before the twenty-eighth day of June in every succeeding period of three years, when such returns are to be made, with the several clerks of the vestries, and which shall be delivered to all persons applying for the same, at a price not exceeding five pence for each sheet : And the clerks of the vestries are not to receive any returns of slaves, as by this clause required, unless the same, or the last sheet of every such lists or returns, if such list or return shall consist of more than one sheet, shall be made upon one of such printed forms, and each preceding sheet shall contain the same number of columns, and be headed in the same manner, as such printed sheet."

Clause 5.—" That the first and triennial returns, required to be made according to the provisions of this act, of the slaves belonging to the crown, and employed about the person of the governor, shall be made and verified on the oath of the private secretary of the governor or lieutenant-governor, or person executing for the time being the functions of governor, under a penalty of one hundred pounds."

Clause 6.—" That it shall not be lawful for any clerk of the vestry, under a penalty of five hundred pounds, to receive any first return or giving-in, required by this act, after the twenty-eighth day of September, one thousand eight hundred and seventeen, or any triennial return after the twenty-eighth day of September, in the year in which such triennial return shall fall due, except as hereinafter next mentioned and provided."

Clause 7.—" That in such case, where it shall be made appear on oath to the satisfaction of the justices and vestry, in vestry assembled, at any meeting to be called for the purpose by the custos or chief magistrate, if necessary, at any time on or before the thir-

By first day of December, one thousand eight hundred and seventeen, in respect to the first returns to be made under this act, or on or before the thirty-first day of December, in any year in which any triennial return shall fall due, in respect to such triennial return, that, through inadvertence or unavoidable cause, there happened to be no return, or a defective return, it shall and may be lawful for the justices and vestry to order the clerk of the vestry then to receive every such return, or to amend every such defective return."

and how they are to be rectified.

Clause 8.—"That every clerk of the vestry shall endorse on every return the actual date of its being filed or lodged with him, and such return shall be deemed a public record, and to that purpose his office shall be taken to be a public office of record, and such records shall be under the same protection from embezzlement, erasure, and injury, as the records in the secretary's office are by law protected, besides which, if such injury shall arise from the negligence or misconduct of the clerk of the vestry, he shall incur and suffer the penalty of five hundred pounds for each offence, and be incapable of holding his office."

Clerks of vestries to endorse on returns the date when they are lodged with them, and to keep them in safe protection, under penalty.

Clause 9.—"That every clerk of the vestry under the penalty of five hundred pounds, and incapacity from holding his office, shall, by the first day of February, one thousand eight hundred and eighteen, cause the said first returns required by this act, and by the first day of February, in each year next after the triennial returns are required to be made into his office, cause all and every such triennial returns received into his office to be fairly and faithfully copied in a neat manner, and as closely as convenient, at the end of which he shall annex an affidavit, to be taken and sworn before any judge of the supreme court, or of either of the assize courts, or any justice of the peace for the parish in which such return is made, who are respectively hereby authorized and required to administer an oath in that respect, that such copy has been carefully examined with the original returns, and is a faithful and true copy thereof, to the best of deponent's endeavour, knowledge, and belief; and shall also annex to such copy a correct alphabet of the names of the persons for whom the return is intended; and at the top and on the back of such return shall state for what parish and for what year it is the return; which copy so prepared the said clerk of the vestry, under the penalty and incapacity last mentioned, shall, on or before the twentieth day of February, one thousand eight hundred and eighteen, for the first returns, and on or before the twentieth day of February, in each year next after the

Clerks of vestries to have returns neatly copied under penalty, and annex an affidavit of their being faithful copies, to be transmitted to the secretary of the island.

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the triennial returns are required to be made, in respect to such triennial returns, transmit, and cause to be carefully delivered, to or at the office of the secretary of this island, where such authenticated copy shall be forthwith entered and recorded, in a book or books to be separately kept for that purpose, in the manner that other instruments are there recorded and kept."

Who is to have them fully recorded, and deliver an authentic copy or copies to the governor's secretary.

Clause 10.—"That the said secretary shall, under the penalty of five hundred pounds, on or before the twenty-eighth day of June, one thousand eight hundred and eighteen, in respect to the first returns, and on or before the twenty-eighth day of June, in each year next after the triennial returns are required to be made, in respect to such triennial returns, fully record, and shall thereafter, and after having certified at the back thereof that the same have been recorded by him, and the day when received and entered at his office, deliver in all such authentic copy or copies so received from the clerks of the vestries to or at the office of the secretary of the governor, or person executing the functions of governor, to be transmitted to his majesty's secretary of state for the colonial department."

An extract or copy from every original return recorded in the vestry-office, deemed legal evidence in all courts and places.

Clause 11.—"That an extract or copy, from any original return under this act of record in the vestry-office, certified under the hand of the clerk of the vestry himself personally, or an extract or copy of any return made under this act from the record thereof in the secretary's office, and certified under the hand of the secretary, or person officiating for him, or by the oath of a witness who had compared the extract or copy with the original return in the vestry-office, or with the record thereof in the secretary's office, shall be admitted in all courts and places as legal evidence to the extent the original itself would go."

Penalty on persons neglecting or omitting to make the returns hereby required.

Clause 12.—"That if any person or persons; who is or are required by this act to make a return of slave or slaves in his or their possession, as aforesaid, shall omit or neglect so to do within the time limited or allowed for the same, whereby any slave or slaves shall be omitted to be duly returned in the first return, or any subsequent triennial return, pursuant to this act, every person so offending shall, for each and every slave who ought to have been returned, and of whom no return has been made, forfeit the sum of one hundred pounds; and in the case of such person or persons, acting in any representative character, making such default or omission, he, she, or they, shall, besides the said penalty, make good to the real owner of such slave or slaves, any damages and loss thereby sustained."

Clause

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Clause 13.—"That such penalty of one hundred pounds shall be recoverable by action of debt, commenced in the supreme court, but the issue therein to be tried in the county where the cause of action shall arise, and when recovered shall be applied, one half to the prosecutor, and the other half to his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof."

How the aforesaid penalty is to be recovered.

Clause 14.—"That upon judgment being recovered for such penalty, an information shall be filed *ex officio* by his majesty's attorney-general, in and for the next succeeding grand court, against the slave or slaves, for the omission of whose return such penalty shall have been recovered, but the issue joined therein to be tried in the county where the cause of such action arose, as and for an importation of Africans or slaves, contrary to the said abolition laws, and the record of such judgment shall be sufficient evidence to maintain the said information; and to every such information, so filed as aforesaid, it shall and may be lawful for the person or persons, against whom the judgment for such penalty has been recovered, to take the defence in his or their own name or names, or in the name or names of the person or persons for whom he, she, or they, held possession of the slave or slaves left unreturned as aforesaid, or for such person or persons for whom possession was held, to take the defence in his, her, or their, own name or names, and to plead "not guilty," and thereunder to prove that the slave or slaves, included in the said information, was not or were not imported into this island contrary to the said abolition laws."

Regulation with regard to the foregoing penalty when judgment has been recovered.

Clause 15.—"That in case the defence to the said information shall not have been taken as aforesaid, during the court for which the same is filed, the said information shall be continued over until the next grand court, in which court it shall and may be lawful for any person, claiming any estate or interest in the said slave or slaves included in the said information, either in reversion or remainder, or other estate expectant upon the determination of the estate of the person, for whose interest the possession of such slave or slaves was held, or any mortgagee of the said slave or slaves, or any judgment creditor of the person or persons or estate, for whose interest such possession was held, to take the defence of such information, by leave of the judges of the said supreme court; and it shall be lawful for the person, so taking the defence of the said information, to plead "not guilty" thereto, and thereunder to prove that the said slave or slaves included therein, was or were not imported contrary to the said abolition laws, and was or were subject to such right, title, or interest, as they claim therein."

and how the information may be further proceeded in.

Clause

SLAVE LAWS OF JAMAICA.

If verdict found for the defendant upon trial, slaves may be held upon the same estate as previous thereto, and return be amended and recorded.

Proviso.

Clause 16.—"That if, upon the trial of any such information as aforesaid, a verdict shall be found, and judgment thereupon given, for the defendant, the slave or slaves included in the said information, or such or so many of them for which such verdict and judgment for the defendant shall be found and given, shall be held and enjoyed in the same estate as before the trial of the said information, and the original return, and the record thereof, shall thereupon be amended, or a new return made thereof, and recorded, as need may be, under an order of the judges of the court in which the issue was tried: ~~Provided~~ **always**, That when it shall appear that the person or persons, for whose interest possession of such slave or slaves was held, was entitled to the same under a particular estate only, and the defence of the said information shall have been taken, under the proviso aforesaid, by the person or persons next in reversion or remainder, or expectancy, such person or persons shall forfeit his or their particular estate, right, title, or interest, in the said slave or slaves, and the same shall immediately vest in the person or persons in reversion, remainder, or expectancy, as if such reversion, remainder, or expectancy, had vested in possession in them in due course of law."

How slaves are to be disposed of, when judgment has been obtained for the crown.

Clause 17.—"That if judgment for the crown be had on such information by default or verdict, the slave or slaves, who shall be the subject thereof, shall be treated and disposed of as if they had been imported contrary to the abolition laws aforesaid, and under the regulations of the said laws; and for that purpose the judges of the supreme court, or justices of assize, shall give notice to the governor, or person executing the functions of governor, as soon as such verdict or judgment for the crown shall have passed, and shall make such order for the production and delivery over, if needful, of the slave or slaves, the subject thereof, as to them shall seem expedient, and necessity may require."

Secretary of the island to make the same charges for recording returns as he does for other papers recorded in his office.

Clause 18.—"That the secretary of this island shall be paid by the public, for recording the authentic copies of the returns aforesaid, at and after the rate he is entitled to charge for recording deeds, and by the person requiring the same, for every copy or extract at and after the rate he is now entitled to charge for copies and extracts of deeds out of his office; and every clerk of the vestry shall, in like manner be paid by the public at and after the rate of one shilling and eight pence for every one hundred and sixty words, every figure to be counted a word, for making the authenticated copy or copies of returns hereby required, and for filing each original return, and granting a receipt for the same, which he

is hereby required to give to the party making the return, if demanded, the sum of one shilling and three pence, and by the party requiring a copy or extract, at the same rate as allowed to the secretary for such copies and extracts."

Clause 19.—"That if any person or persons, required to make a return of slave or slaves under this act, or any person or persons for whose account or interest a return of any slave or slaves ought to have been made, shall apply, by petition to the governor, lieutenant-governor, or person executing the functions of governor, and make it appear to his satisfaction, that the non-delivery of any such return, or any omission or irregularity therein, if any return shall have been rendered, has arisen from accident, or some unavoidable impediment, or from some other cause, which may appear to him as a satisfactory ground for complying with the request of the party to have such omission or irregularity rectified, and that the same has not arisen from any wilful delay or default, the said governor, lieutenant-governor, or person executing the functions of governor, at any time, on or before the thirty-first day of December, in the year of our Lord one thousand eight hundred and eighteen, in respect to the first returns required to be made by this act, and at any time on or before the thirty-first day of December, in any year next succeeding that in which the triennial returns are required to be made, in respect to such triennial returns, may make an order, in writing, subscribed by him, and addressed to the clerk of the vestry of the parish to which such return shall properly belong, commanding him to receive such omitted return, or amended return, as the case may be, and to keep the same, together with the said order to him addressed, as a record in his office; and the said clerk of the vestry shall, within fourteen days after the receipt thereof, transmit a copy of such return, and also of the said order, to the office of the secretary of this island, attested in like manner as is required for the copy of the original returns of his parish; and the secretary of the island shall record the same, and transmit such copy by him received within fourteen days after his receipt thereof, with the date of his receipt and enrolment thereof, endorsed by him, to the office of the governor's secretary, to be forwarded to his majesty's secretary of state for the colonial department, in like manner as the copy of the former returns of the same parish: **Provided** always, That all expences of receiving, recording, and copying, such omitted or amended return, and the order for receiving the same, shall be paid, by the party applying for and obtaining such order, to the respective officers entitled to the same, at the same rates hereinbefore established for such proceedings in the first instance."

Time extended in the case of omissions or irregularities in the making of returns, if occasioned by accident or unavoidable impediment, on petition to the governor.

Provided

At

Clause

In cases where such omission or irregularity may have been rectified, proceedings may be stayed by the supreme court, on payment of all costs.

Clause 20.—"That in all cases where any omission or irregularity has been rectified as aforesaid, according to the powers hereinbefore given in such respects, any party, against whom any prosecution shall be pending for a forfeiture on account of such omission or irregularity, where judgment shall not have been actually executed, and any defendant to any information filed as aforesaid, whereupon judgment shall not already have passed for the crown, may apply to the supreme court of judicature; and such court shall and may make an order for the staying or discontinuing or vacating, of such proceedings, upon payment by the party applying of the full costs out of purse, as well of the informant as of the crown, if any incurred."

How persons are to be punished for perjury.

Clause 21.—"That every person, who shall knowingly and wilfully make any false oath or affirmation to any of the matters or things by this act required to be so verified, or shall corruptly procure or suborn any person or persons to swear or affirm falsely in any such oath or affirmation, shall, on being duly convicted thereof, suffer such punishment as is inflicted by the laws of England for such offence."

How penalties not hereinbefore provided for, are to be recovered, and the application thereof.

Clause 22.—"That the several penalties hereby imposed, the recovery whereof is not already provided for, shall be recoverable by action of debt, bill, plaint, or information, commenced in the supreme court, and the issue tried in the county where the cause of action shall arise, wherein no essoin, wager of law, or *non vult ulterius prosequi* shall be allowed, one half of which penalties shall go to the informer, or him, her, or them, who shall sue for the same, and the other moiety to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof."

Returns, &c. exempted from stamp duty.

Clause 23.—"That all returns, receipts, papers, and proceedings whatsoever, made necessary by this act, shall be exempt from all stamp duty."

SCHEDULE

SLAVE LAWS OF JAMAICA.

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"SCHEDULE B.

JAMAICA, ss.
A RETURN of SLAVES in the parish of _____ in the possession of _____
as _____ on the _____ day of _____ in the year
of our Lord _____

MALES by last return

FEMALES

TOTAL by last return

NAMES.	Colour.	Age.	African or Creole.	REMARKS.	Increase, and cause thereof.	Decrease, and cause thereof.
MALES.						
FEMALES.						
					INCREASE.	DECREASE.

Number of SLAVES on the _____ day of _____
BIRTHS since last return
DEATHS since last return

I, A. B. do swear (or, if a quaker, solemnly affirm) that the above list and return, consisting of _____ sheets, is a true, perfect, and complete, list and return, to the best of my knowledge and belief, in every particular therein mentioned, of all and every slave and slaves possessed by me as _____ considered as most permanently settled, worked, or employed, in the parish of _____ on the _____ day _____ of _____ in the year of our Lord _____ without fraud, deceit, or evasion.—So help me God."

Sworn before me this _____ day _____ of _____

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CAP.

CAP. 18.

Buying or selling of Africans or others, imported into this island subsequent to the abolition act, declared unlawful.

Enact, Clause 1.—“That it was and is unlawful to buy or sell in this island, or to hold in slavery there, any African or other person or persons who, after the passing of the said first recited act, (*Acts of Par. recited in preamble, 47 Geo. 3 c. 36 and 51 Geo. 3 cap. 23*), was or were imported into this island contrary to the intent and meaning of the said act, if any such ever was or were so imported into this island.”

All estate, right, title, &c. to Africans or others, that should hereafter be unlawfully imported as slaves, to be void and of none effect.

Clause 2.—“That no estate, right, title, property, or interest whatsoever, at law or in equity, of, in, or to, any African or other person or persons unlawfully imported from and after the passing of this act (if any such there shall happen to be), can, shall, or may, accrue to, or vest in, any person or persons whomsoever, or be created, or transferred, or pass, by sale or mortgage, gift, grant, or other voluntary alienation, or by judgment at law, decree, or execution, or by marriage, succession, inheritance, will, devise, administration, or otherwise howsoever; and that every deed, will, or other instrument, whereby any such African or other person or persons shall be conveyed, devised, transferred, or disposed of, or otherwise attempted so to be, or wherein the same shall be mentioned or comprehended as a slave or slaves, shall be, as to such African or other person or persons, and the issue of the females of such African or other person or persons, utterly void and of none effect.”

Penalty on persons, in any capacity whatever, keeping, &c. in slavery Africans or others, unlawfully imported.

Clause 3.—“That, from and after the passing of this act, if any person or persons shall knowingly and wilfully keep, hold, or detain, or attempt to keep, hold, or detain, in slavery, or treat as a slave, any African or other person unlawfully imported as aforesaid, or shall knowingly and wilfully hire, employ, harbour, or entertain, or in anywise have in his, her, or their, possession, or suffer to remain or abide on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, or under his, her, or their, care or management, as attorney, agent, executor, administrator, guardian, mortgagee in possession, trustee, overseer, or otherwise, any such African or other person or persons as aforesaid, every such person so offending shall, on conviction, forfeit, for every such African or other person, the subject of such offence, the sum of one hundred and forty pounds current money of this island, one moiety thereof to the use of his majesty, his heirs and successors, for the support of the government of this island, and the other moiety thereof to such person or persons as shall inform and prosecute for the same, and shall also be committed to the common gaol for any time not exceeding twelve months.”

Clause

Clause 4.— That, from and after the passing of this act, it may and shall be lawful for any one of his majesty's justices of the peace, in any of the parishes or precincts of this island, upon information, complaint, or suspicion, verified by the affidavit of one or more credible witness or witnesses, to his, her, or their, knowledge or belief, to be sworn before any of his majesty's justices of the peace, or any judge or judges of the supreme or assize courts of this island, that any African or other person or persons, unlawfully imported as aforesaid, is or are hired, employed, harboured, or entertained by, or is or are in anywise in the possession of, any person or persons, or suffered to remain or abide on any settlement or property belonging to or in the possession, or under the care or management, of any person or persons as before-mentioned, in his respective parish or precinct, contrary to the true intent and meaning of this act, to associate with himself two other justices of the peace of the same parish or precinct, who, together, shall inquire into the grounds of the said information or complaint, or of the suspicion as aforesaid; and, in case such information or complaint, or such suspicion, shall appear to be probable and well founded, shall cause the person or persons informed against or complained of, or so suspected, to be summoned to be and appear before them, at some time and place, in such summons to be specified, to answer to such information or complaint, or to be examined on the subject of such suspicion as aforesaid, and also all other persons necessary to give evidence concerning the matters charged in such information or complaint, or the subject of such suspicion, as aforesaid, to be examined touching their knowledge of the same; and the person or persons so informed against, complained of, or suspected, shall be enjoined and commanded by the said summons to produce at the same time and place, before such justices, so associated, all and every or any such African or other person or persons as he, she, or they, shall have in his, her, or their, possession, as a slave or slaves, or hired, employed, harboured, or entertained, by him, her, or them, or in anywise abiding or being on his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their, care or management as aforesaid: And in case it shall appear, on such examination and inquiry as aforesaid, to the satisfaction of the said justices, that such African or other person or persons hath or have been unlawfully imported from Africa or elsewhere, contrary to any of the prohibitions or provisions in this act, or the said recited acts, contained, and have been sold or disposed of within the said island as a slave or slaves, or placed, detained, and kept in a state of slavery, such African

A justice of the peace to be informed of the contravention of this act, who is to associate two others with himself to inquire into it, and manner of conducting such inquiry.

African or others, proved to have been unlawfully imported, to be condemned by the justices as forfeited to his majesty, and how to be disposed of.

or other slave or slaves shall, for the purpose of condemnation merely, be deemed, taken, and adjudged, to be unlawfully imported slaves, and be liable to forfeiture as such in the same way as if they had been proceeded against and adjudged liable to forfeiture under the said first recited act, and the said justices shall accordingly proceed to condemn such African or other slave or slaves as forfeited to his majesty, nevertheless for such purposes only as are mentioned and contained in the said first recited act concerning slaves and natives of Africa seized and condemned under the provisions of that act."

In case any person informed against should secrete himself, or keep his gate shut, a copy of the summons may be affixed to it, or left at his dwelling.

Clause 5.—"That in case any person, against whom any such information shall be laid, and who shall be summoned as aforesaid, shall keep his or her gates shut, or shall keep him or herself out of the way, or secrete him or herself, so that the officer directed to execute the said summons shall not be able to serve the same personally, the affixing a copy thereof to the gate, or the leaving such copy at the dwelling-house, of such person, shall, due proof thereof being made upon affidavit, be taken as a service thereof, and be deemed to be as good and valid in the law, as if the original thereof had been exhibited to the person named therein."

Justices to issue warrants for the apprehension of persons refusing to attend,

Clause 6.—"That it may and shall be lawful for the three justices of the peace, associated as aforesaid, in case such person or persons informed against, complained of, or suspected, as aforesaid, shall not appear before them at the time and place required by the summons aforesaid, upon due proof on oath being made of the service thereof, as aforesaid, to issue their warrant to the provost-marshal, or his lawful deputy, or any lawful constable, for the apprehending and bringing before them such person or persons, or to proceed in the examination of and adjudication, upon the information or complaint, in the absence of the party complained of, as aforesaid, as in their discretion shall seem fit."

and for Africans who might be refused or neglected to be brought before them.

Clause 7.—"That in all cases wherein any such African or other person or persons, as aforesaid, shall be refused or neglected to be brought before the three justices, associated in the manner before directed, by any person or persons hiring, employing, harbouring, or entertaining, or having such African or other person or persons in his, her, or their, possession, or suffering such African or other person or persons to remain or abide in his, her, or their, settlement or property, or on any settlement or property in his, her, or their, possession, in the right of any other person, or under his, her, or their,

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their, care or management, when required so to do by any summons as aforesaid, or otherwise commanded by such justices, as aforesaid, it may and shall be lawful for the said justices, and they are hereby empowered and required, to issue their warrant for the apprehending and bringing before them all such African or other person or persons as aforesaid, concerning whom such information or complaint as aforesaid shall have been made, or such suspicion as aforesaid shall lie, or who shall in anywise appear to such justices to be on any settlement or property belonging to any such person or persons as aforesaid, or in his, her, or their, possession, or under his, her, or their, care or management, which warrant shall be directed to the provost-marshal, or any of his lawful deputies, or any lawful constable, who are hereby directed and enjoined to execute the same."

Clause 8.—"That if any person or persons shall not, on demand made, open his, her, or their, gates to any deputy-marshal, or any constable charged with any such warrant as aforesaid, it shall and may be lawful for any such deputy-marshal, or constable (but nevertheless in the presence and under the direction of a justice of the peace), to break open the same gates, in order to apprehend any African or other person or persons, concerning whom such information or complaint, as aforesaid, shall have been made, or such suspicion shall lie; and such person or persons shall forfeit each the sum of one hundred and forty pounds for every African or other person or persons, so proved to have been hired, employed, harboured, or entertained, by, or in anywise in his, her, or their, possession, or suffered to remain or abide on his, her, or their, settlement or property, or on any settlement or property in or under his, her, or their, possession, care, or management, in the right of any other person, contrary to the true intent and meaning of this act, and who shall not be produced as hereinbefore directed; and in case any person or persons shall otherwise resist any such officer in apprehending and taking up any such African or other person or persons, as aforesaid, under the authority hereby given, and according to the meaning of this act, every such person so offending shall forfeit the sum of one hundred and forty pounds for every such offence, and the justices aforesaid are hereby authorised and empowered to commit the offender or offenders to the common gaol of the county wherein the offence shall have been committed, there to remain without bail or mainprize until he, she, or they, shall have duly paid the several penalties incurred as aforesaid, which penalties shall be to his majesty, his heirs and successors, for and towards the support of the government of this island."

In case persons should refuse to open their gates, constables to break them open in presence of a justice.

Penalty for each African found in their possession to have been unlawfully imported,

and on persons obstructing any officer in the execution of his duty.

Clause

Proceedings under this act deemed of a criminal nature, and any particular description, that may ascertain an unlawfully imported person, to be a sufficient specification in the justices warrant.

Levies made in execution of civil process not lawful under the execution of warrants by virtue of this act.

An appeal from the decision of justices may be made to the governor in council, and how it is to be proceeded on.

Clause 9.—"That in order to prevent any doubts arising whether the aforesaid mentioned proceedings, under the authority of this act, shall be considered as a criminal or a civil process, and in order to sustain the legality of any warrant issued to apprehend or commit such person or persons as shall offend herein, it is hereby declared; that every such process is and shall be taken to be of a criminal nature, and that any such particular description as shall be sufficient to ascertain the person of any such African or other person or persons, unlawfully imported as aforesaid, or to discriminate such from any others, shall be deemed a sufficient specification of any such African or other person or persons in any warrant issued under and by virtue of this act: ~~Provided always~~, That if any levy be made, or judicial or mesne process executed, in any civil cause, on occasion of the execution of any warrant issued by virtue of this act, every such levy, and the execution of every such process, shall be null and void to all intents and purposes, and that every person making such levy, or executing or attempting to execute any such process, shall be liable to answer for the same in damages to the party aggrieved thereby."

Clause 10.—"That in any proceedings under the authority of this act, it shall be lawful for the parties, the subjects thereof, if desirous of so doing, to appeal from the decision of any justices of the peace, associated as aforesaid, before whom shall have been tried any question touching any African or other person or persons held or detained in slavery, as aforesaid, to the governor, lieutenant-governor, or person exercising the functions of governor for the time being, of this island, in council, on giving notice to that effect to such justices within the space of fourteen days next after such decision shall be made; and such justices are hereby required, on receiving such notice, to transmit, or cause to be transmitted, forthwith, true copies of all such examinations and proceedings as have been had and taken in any such question, certified under their respective hands and seals, to the governor, lieutenant-governor, or person exercising the functions of governor, whereupon he shall cause notice to be served upon the person or persons claiming any such African or other person or persons, as aforesaid, and all other proper and necessary parties, to appear before him, in council, together with such African or other person or persons, for examination, by an early day to be for that purpose appointed; and the said governor, lieutenant-governor, or person exercising the functions of governor, in council, shall make such orders and regulations as shall seem meet and expedient for safe custody, disposal, and support, of any such African or other person or persons, the subject of any

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any such question, as aforesaid, until the same shall be finally determined, and shall afterwards examine into the decision of the said justices, and shall make such order therein as shall seem just and proper."

Clause 11.—" That every person who shall be summoned to appear as a witness in pursuance of this act, and who shall fail to appear at the time and place set forth in such summons, as aforesaid, contrary to the true intent and meaning of this act, shall, upon due proof upon oath being made of the service thereof, forfeit the sum of fifty pounds for every such offence."

Penalty on witnesses refusing to attend.

Clause 12.—" That every person who shall *bond fide* attend, or be *bond fide* on his way to attend, or on his return from attending, any justice or justices of the peace, by virtue of any summons, for any of the purposes of this act, shall be entitled to, and receive the like privilege from arrest or detention under any civil process whatsoever, as any suitor, party, or witness, attending any court is by law entitled to receive; and if therefore any person shall be so arrested or detained, any judge of the supreme court of judicature of this island, or justice of assize, on its being made to appear to his satisfaction that such person, so arrested or detained, did *bond fide* attend, or was *bond fide* on his way to attend, or on his return from attending, any justice or justices of the peace, by virtue of any summons, for any of the purposes of this act shall, and he, and is hereby, required, forthwith, to discharge the person so arrested or detained."

Persons summoned to attend, or returning from attending, justices protected from arrest or detention under any civil process whatsoever.

Clause 13.—" That every person so summoned as a witness, or who shall appear voluntarily before the said justices as a witness, and shall thereafter refuse to be examined upon oath touching the matters and things in question before such justices, they the said justices are hereby authorized and empowered to commit the offender or offenders to the common gaol of the county wherein the offence shall have been committed, as for a contempt of court, for a period not exceeding three months."

Punishment on witnesses acting contumaciously.

Clause 14.—" That in case any person, so summoned or appearing before the said justices to give evidence as aforesaid, shall, on examination, be guilty of any false or wilful forswearing, he or she, being thereof wilfully convicted, shall incur and suffer the pains and penalties inflicted by law on such persons as shall commit, or shall suborn any person to commit, unlawful and corrupt perjury."

Penalty on persons committing perjury.

21

Clause

Justices to
certify con-
demnation of
Africans or
others to the
governor, and
how they are
to be dealt
with.

Clause 15.—"That after any condemnation of any African or other person or persons, unlawfully imported as aforesaid, under the provisions of the said recited acts, or of this present act, the justices, by whom such condemnation shall be made, shall certify the same to the governor or person exercising the functions of governor of this island; to the end that such African or other person or persons, unlawfully imported, may be dealt with according to the provisions of the said first recited act in such cases."

No negro
hereafter to be
landed any
where in this
island (except
those employ-
ed as mari-
ners) without
a permit from
the naval offi-
cer or his de-
puty.

Clause 16.—"That, from and after the passing of this act, it shall not be lawful for any negro, arriving in any ship or vessel from any port without the said island, in any port or place within the same, otherwise than as hereinafter is mentioned and permitted, to land, without a permit in writing from the naval officer or his deputy of such port, where the ship or vessel shall have arrived, (except such seafaring negroes as shall be *bona fide* employed as mariners on board such ship or vessel), on pain, if free, of being liable to be apprehended by any of his majesty's subjects, and of being committed, by any justice of the parish wherein the offence shall be committed, to close confinement in any of the gaols of this island for any period not exceeding three months, or, if not free, of being committed by any justice to the nearest public workhouse, and to be there kept for safe custody and protection for a space of time not less than three months, and for the purpose of further proceedings in their behalf as they shall deem expedient, and circumstances may require, and in all such cases the like reward and charges shall be allowed to all persons, taking up any such negro or negroes, so transgressing, as are allowed for taking up runaways by the laws now in force respecting runaway slaves."

Regulation
with regard to
vessels arriv-
ing having
slaves on
board.

Clause 17.—"That, from and after the passing of this act, the master or commander of any ship, vessel, or boat, which shall arrive in any port of this island from any port without the same (except any ship, vessel, or boat, of his majesty), shall, immediately on his arrival, declare upon oath, in writing, to the naval officer, or his deputy of such port, whether there is or are, to the best of his knowledge, any negro or negroes, or any slaves, on board his vessel, not being a negro or negroes, or slave or slaves, *bona fide* belonging to his said vessel, and employed in navigating the same; and in his said declaration shall specify the number and sex or sexes of such negroes; and such slaves, if any there be, on board his said vessel, the place or places where they were taken on board, and, in case of slaves, the name or names of their respective owners or proprietors, and such further particulars concerning them,

and

and

and

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And each of them, as shall have come to his knowledge, and shall also at the same time render, on oath, to the said naval officer or his deputy, an account and list in writing of all such seafaring negroes and slaves on board the said ship, vessel, or boat, as belong thereto, and are employed in navigating the same."

Clause 18.—"That the master or commander of any such ship, vessel, or boat, so arriving as aforesaid, who shall refuse or neglect to make such declaration on oath, or to render such account and list on oath as aforesaid, shall, for every such offence, forfeit and pay the sum of one hundred and forty pounds for each and every such negro or other slave, who shall have been on board at the time of the arrival of such ship, vessel, or boat, as aforesaid, one moiety whereof shall be to his majesty, his heirs and successors, for the support of the government of this island, and the other moiety to the informer or informers who shall sue for the same, to be recovered before any two magistrates acting in and for the parish in which such offence shall have been committed; and that it shall be lawful for the collector and comptroller of the customs of the port, and of the naval officer or his deputy, where such ship, vessel, or boat, shall have arrived, and they are hereby required and enjoined, to detain such ship, vessel, or boat, as aforesaid, until the same shall have been paid."

Penalty on masters of vessels refusing to make the declaration required by this act.

and custom house officers to detain the vessel until payment is made.

Clause 19.—"That it shall not be lawful for any master or commander of any such ship, vessel, or boat, arriving in any port of this island from any port without the same, to land, or suffer to be landed, any negro or negroes, or any slave or slaves, not being a negro or negroes, slave or slaves, *bonâ fide* belonging to the said ship, and employed in navigating the same, (in which case all such negroes and slaves shall be under the regulations and restrictions hereinbefore provided and declared for seafaring negroes and slaves, employed in navigating vessels to and from this island), without a permit in writing from the naval officer or his deputy of such port, where he shall have arrived, under the pain of forfeiting the sum of one hundred and forty pounds for every such negro or slave so landed; one moiety of which penalty shall be to his majesty, his heirs and successors, for and towards the support of the government of this island, and the other moiety to the informer who shall sue for the same, and of suffering the further punishment of imprisonment not exceeding twelve months, without bail or mainprize, in the common gaol, on conviction of such offence before any three magistrates of the parish or precinct wherein it shall be committed."

Penalties on masters of vessels landing negroes without a permit.

N 2

Clause

and committing perjury, or suborning others to do it.

Clause 20.—"That in case any such master or commander, or other person or persons, as aforesaid, shall be guilty of any false and wilful forswearing, in taking the oath aforesaid, or shall unlawfully and corruptly procure or suborn any person to take the said oath falsely, he or she, being thereof duly convicted, shall, for every such offence, incur the pains and penalties inflicted by law on all such persons as shall commit wilful perjury, or shall procure or suborn any person to commit any wilful or corrupt perjury."

Fee to the naval officer or his deputy for taking declaration of masters of vessels.

Clause 21.—"That the naval officer, or his lawful deputy of the several ports of this island, shall be entitled, for taking the declaration of the master or commander of any ship, vessel, or boat, and the account and list, as aforesaid, and for administering the several oaths by this act required (which oaths they or either of them are hereby authorized and empowered to administer), and for making out and granting the permit, in writing, for landing any such negro or negroes, or slave or slaves, as aforesaid, to demand a fee of ten shillings for every such negro or slave so permitted to be landed, to be paid by the person applying for the same, before such negro or negroes, slave or slaves, shall be landed, which fees shall be in full compensation to such naval officer and his deputies for the additional duty imposed on them by this act."

Naval officer or deputy not to grant a permit until the declaration is made, under penalty.

Clause 22.—"That the naval officer or his deputy of the several ports of this island, shall not grant to any master or commander of any ship, vessel, or boat, so arriving as aforesaid, any permit before such declaration on oath has been made by the master, as is hereinbefore mentioned, under the penalty of one hundred and forty pounds for every negro or other slave, to be recovered in the supreme court, or either of the courts of assize, in this island, such penalty to be to the use of his majesty, his heirs and successors, for the support of the government of this island."

In case any negroes shall be clandestinely landed, any person may apprehend and carry them before a magistrate, and how such magistrate is to act.

Clause 23.—"That in case any attempt shall be made by any person or persons fraudulently and clandestinely to land any negro or negroes, or any slave or slaves, from on board any ship or vessel, in any port, harbour, bay, or creek, or elsewhere on the sea-coast of this island, contrary to the said recited acts, or this present act, it shall and may be lawful to and for any of his majesty's subjects, and he and they is and are hereby required, to seize and apprehend any such negro or negroes, slave or slaves, and to carry him and them before the nearest magistrate, who shall associate with himself two other justices of the same precinct, and who together shall examine into the fact of such attempt to land such negro or negroes."

proes, slave or slaves, and on due proof thereof (unless the same shall well and satisfactorily appear to have been caused by shipwreck or other unavoidable or irresistible necessity), the said justices shall forthwith adjudge and condemn such negro or negroes as unlawfully imported slaves, and as forfeited to the crown, in the manner and for the purposes before directed, in respect to natives of Africa, or others unlawfully detained in slavery, and condemned as slaves forfeited to his majesty by virtue of the said recited acts, and of this present act."

Clause 24.—"That in all cases where any African or other person or persons shall be finally condemned as slaves to his majesty's use, under the provisions of this act, there shall be paid by the receiver-general of this island, or his lawful deputy, to the person or persons who shall inform against any one offending against the same, so as to lead to his or her conviction, the sum of fifty pounds of current money of this island, for every African or other person that shall be so condemned as aforesaid, and the said justices shall, upon every such condemnation being made under the authority of this act, issue an order, under their respective hands and seals, directed to the said receiver-general, or his lawful deputy, for the payment of all such sum and sums of money by way of bounty as aforesaid, to which the person or persons therein named shall or may be respectively entitled."

Bounty to informers.

Clause 25.—"That if any person or persons shall, at any time, be sued or prosecuted for any thing by him or them done or executed in pursuance and under the authority of this act, such action or prosecution shall be commenced within three months next after the offence shall have been committed, and that the defendant or defendants therein may plead the general issue "not guilty," and give this act and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and under the authority of this act; and if the same shall appear to have been so done, that the jury shall find a verdict for the defendant or defendants, and if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her, or their, action, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and have the like remedy for the same as any defendant or defendants hath or have for costs of suit in any other cases by law."

Suits or proceedings against persons acting under this act to be commenced within a certain time, and they may plead the general issue, &c.

Clause 26.—"That no writ shall be sued out against, nor any copy of any process at the suit of a subject shall be served on, any justice

No writ to be
sued out
against, or
copy of any
process served
on, any justice
or person act-
ing under
their orders
without one
month's no-
tice being
given.

justice of the peace, or any person acting under his orders or directions, for any thing by him or them done in pursuance of this act, or in the execution of, or by reason of, the powers given them by this act, until notice in writing of such intended writ or process shall have been delivered to him or them, or left at the usual place of his abode, by the attorney or agent for the party who intends to sue or cause the same to be sued out or served, at least one calendar month before the suing out or serving the same, in which notice shall be clearly and explicitly contained the cause of action which such party hath or claimeth, to have against such justice of the peace, or other person acting under his order or directions as aforesaid, on the back of which notice shall be endorsed the name of such attorney or agent, together with the place of his abode, and no plaintiff shall recover any verdict against such justice, or any person acting under his order or directions, as aforesaid, in any case where the action shall be grounded, or any thing by him or them done, under or in pursuance, or in execution, or by reason of the powers by this act given to him or them, unless it is proved upon trial of such action that such notice was given, as aforesaid; but, in default thereof, such justice, or other person acting under his or their orders or directions, as aforesaid, shall recover a verdict and costs, as aforesaid, and no evidence shall be permitted to be given by the plaintiff on the trial of any such action, as aforesaid, of any cause of action, except such as is contained in the notices hereby directed to be given, as aforesaid."

Penalty on
persons ne-
glecting to
perform the
duties requir-
ed by this act.

Clause 27.—"That in case any justice of the peace, clerk of the peace, provost-marshal, deputy-marshal, gaol-keeper, constable, naval officer, or his deputy, or any other person, by whom any thing is directed by this act to be done and performed, shall refuse to perform, or shall neglect his duty in any thing required by this act to be done, for which default no penalty is hereinbefore provided, every such person so offending shall forfeit the sum of fifty pounds, for every such neglect or refusal."

How penalties
are to be re-
covered.

Clause 28.—"That in all cases wherein any penalty in this act mentioned is directed to be recovered before any justice or justices of the peace, such justice or justices are hereby empowered and enjoined to commit the offender or offenders, on conviction, to the common gaol, there to remain without bail or mainprize, until such penalty or penalties shall be duly paid; and that all penalties, not herein directed how they shall be recovered, shall be recovered in the supreme court of judicature, or in the courts of assize, of this island, by action of debt, bill, plaint, or information, wherein,

also in all actions or suits brought for penalties hereinbefore expressly directed to be recovered in the supreme court or courts of assize, no essoin, protection, wager of law, imparlance, or injunction, shall be granted or allowed, or *non vult ulterius prosequi* be entered."

CAP 24.

Enacts, Clause 1.—"That from and after the passing of this act, and as soon as conveniently may be, the rectors of the several parishes in this island shall be assisted in propagating the gospel amongst the slaves of this island, and in educating them in the Christian religion, by curates to be appointed by the governor, lieutenant-governor, or person executing for the time being the functions of governor, and to be distributed in such manner, and assigned to such parts of this island, as to the governor, lieutenant-governor, or the person executing for the time being the functions of governor, may seem best calculated to promote the purposes of this act; **Provided always**, That the persons so to be appointed shall, at the time of their respective appointments, be possessed of due testimonials that they are qualified according to the canons of the church of England, by having taken deacon or priests orders, and which testimonials shall be recorded in the office of the secretary of this island: **And provided always**, That the number of curates so to be appointed shall not exceed the number of beneficed ministers established in this island."

The rectors of the parishes in this island to be assisted in propagating the gospel amongst the slaves by curates, to be appointed by the governor;

who must be duly qualified, and not to exceed the rectors in number.

Clause 2.—"That each and every curate, so to be appointed, shall be allowed a reasonable sum, not exceeding three hundred pounds, current money of this island, by the year, to be paid and payable quarterly, by the receiver-general, on the certificate hereinafter mentioned being produced to him."

Salary of 300*l*. to be allowed the curates, increased to 500*l*. by 59 Geo. III. cap. 18.

Clause 3.—"That, from and after the passing of this act, the rectors and curates of the several parishes of this island shall, in the afternoon of every Lord's day, at an hour to be by them, for that purpose appointed, attend at the parish church, and at such other place as shall be provided for divine worship, as hereinafter mentioned, in order to perform the duties of their function relative to the catechising and the instruction of all such persons, free or slaves, in the Christian religion, who shall attend for the purpose, and shall accordingly perform such duties (accidental or temporary cases of sickness, and other inevitable prevention excepted), and that without fee or reward."

Rectors and curates to instruct free persons and slaves on Sunday afternoon;

Clause

and also appoint two days, exclusive of Sundays and holidays, for the religious instruction of the negroes on estates, but with the consent of persons in possession.

Clause 4.—"That, from and after the passing of this act, the rectors or curates of the several parishes of this island shall, besides the usual duty of divine service on Sundays and holidays, and the duty hereinbefore required, appropriate at the least two days in each week to go to some one or other of the estates or plantations in the said parish, in rotation, and then and there perform the duties of his function in the instruction of all such of the slaves of the said plantation, who may be willing and desirous to be instructed in the doctrines of the Christian religion: ~~Provided always~~, That the consent and approbation of the person in possession of the estate or plantation, so intended to be visited, shall be first had and obtained for that purpose."

Vestries to appoint proper places for the performance of divine service by the curates.

Clause 5.—"That the justices and vestry of the several parishes of this island shall, and they are hereby required, when and as soon as they shall receive notice from the secretary of the governor, lieutenant-governor, or person executing for the time being the functions of governor, that a curate has been provided, to appoint some proper place or places, besides the church, wherein divine service may be performed on Sundays and holidays by the rector or curate."

Receiver-general not to pay the sums allowed the rectors and curates without a certificate of the duties required by this act being performed by them.

Clause 6.—"That it shall not be lawful for the receiver-general of this island to pay the sums allowed by law to the rectors and curates of this island without a certificate from the justices and vestry, in vestry assembled, of the parish of such rector or curate, stating that such rector or curate has performed the duties required by this act (accidental cases of sickness or other inevitable prevention excepted)."

Fee of 2s. 6d. for baptisms, &c.

Clause 7.—"That for baptising slaves, registering the same, and granting a certificate thereof, the rector shall be entitled to a fee of two shillings and six pence for each slave."

Cap. 3

CAP. 25.

An act for the subsistence, clothing, and the better regulation and government of, slaves; for enlarging the powers of the council of protection; for preventing the improper transfer of slaves; and for other purposes.—[Passed 19th December, 1816.]

WHEREAS it is expedient that the laws now in force relating to slaves should be revised, and other provisions enacted, to promote their moral and religious instruction, and by means whereof their general comfort and happiness may be increased, as far as is consistent with due order and subordination, and the well-being of this colony: **May it therefore please your majesty that it may be enacted; Be it therefore enacted by the governor, council, and assembly, of this your majesty's island of Jamaica, That, from and after the commencement of this act, the act, entitled, An act for the protection, subsisting, clothing, and for the better order, regulation, and government, of slaves, and for other purposes, passed the fourteenth day of December, in the fiftieth year of your majesty's reign, may be and stand repealed, and the same is hereby repealed accordingly.**

Preamble

50 Geo. III.
cap. 16, re-
pealed.

II. And be it further enacted, by the authority aforesaid, That all owners, proprietors, and possessors, or, in their absence, the managers or overseers, of slaves, shall, as much as in them lies, endeavour the instruction of their slaves in the principles of the Christian religion, whereby to facilitate their conversion, and shall do their utmost endeavours to fit them for baptism, and, as soon as conveniently can be, cause to be baptized all such as they can make sensible of a duty to God, and the Christian faith, which ceremony the clergymen of the respective parishes are to perform when required.

Slaves to be religiously instructed, and such baptized as can be made sensible of a duty to God and of the Christian faith.

III. And be it enacted, That from and after the passing this act no shop shall be kept open during the time of divine service.

No shop to be kept open during divine service.

IV. And be it further enacted, by the authority aforesaid, That from and after the commencement of this act the slaves belonging to, or employed on, every plantation or settlement shall, over and above the holidays hereinafter to be mentioned, be allowed one day in every fortnight, to cultivate their own provision-grounds, exclusive of Sundays, except during the time of crop, under the penalty of twenty pounds, to be recovered against the overseer

Slaves to be allowed one day in every fortnight, besides Sundays, except during crop, under penalty of 20*l*.

So as the number of days may be at least 26.

overseer or person having the care of such slaves : **Provided** always, That the number of days, so allowed to the slaves for the cultivation of their grounds, shall be at least twenty-six in the year.

Slaves exempted from labour on Sunday during crop, and no mills to be worked between seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of 20*l*. Negro-grounds to be inspected every month.

V. And be it enacted, by the authority aforesaid, That, during the crop, not only shall the slaves as heretofore be exempted from the labour of the estate or plantation on Sundays, but that no mills shall be put about or worked between the hours of seven o'clock on Saturday night and five o'clock on Monday morning, under the penalty of twenty pounds, to be recovered against the overseer or other person having the charge of such slaves.

Where there are not proper lands, each slave is to have provision equal to 3*s*. 4*d*. per week.

VI. And be it enacted, by the authority aforesaid, That, every master, owner, or possessor, of any slave or slaves, or his or her overseer or chief manager, shall, under the penalty of ten pounds for each neglect, personally inspect into the condition of the negro-grounds once in every month at least, in order to see that the same are cultivated and kept up in a proper manner, of which oath shall be made, as in this act is hereafter directed : **And whereas** it may happen that on some plantations, pens, settlements, and towns, in this island, there may not be lands proper for the cultivation of provisions, or where, by reason of long continuance of dry weather, the negro-grounds may be rendered unproductive ; then, and in that case, the masters, owners, or possessors, do, by some other ways and means, make good and ample provision for all such slaves as they shall be possessed of, equal to the value of three shillings and four pence currency *per* week for each slave, in order that they may be properly supported and maintained, under the penalty of fifty pounds.

Proper clothing to be given to slaves annually, under penalty of 100*l*.

VII. And be it further enacted, by the authority aforesaid, That every master, owner, or possessor, of slaves shall, once in every year, provide and give to each slave they shall be possessed of proper and sufficient clothing, to be approved of by the justices and vestry of the parish where such master, owner, or possessor, of such slaves shall reside, under the penalty of one hundred pounds,

Yearly accounts to be given in of the provision made for, and clothing delivered to,

VIII. And be it further enacted, by the authority aforesaid, That every master, owner, proprietor, or possessor, of slaves, his or her overseer, or chief manager, at their giving in an account of their slaves and stock, to the justices and vestry, on the twenty-eighth day of December, in every year, or at the vestry which shall

shall be held next after that day, shall, under the penalty of one hundred pounds for every neglect, give in an account, on oath, of the nature and quantity of the clothing actually served to each slave on such plantation, pen, or other settlement, for the approbation of the justices and vestry, as aforesaid, and shall likewise, at the same time, declare, on oath, that he has inspected the negro-grounds (where such negro-grounds are allotted) of such plantation, pen, or settlement, according to the directions of this act, and that every negro on the property is sufficiently provided with grounds.

slaves, under penalty of 100*l*.

IX. And be it further enacted, by the authority aforesaid, That on the twenty-eighth day of December, in every year (the time of giving in as aforesaid), or within thirty days after, the owner, overseer, or manager, of every plantation, pen, or settlement, shall give in to the justices and vestry of their respective parishes, on oath, an account of all the births and deaths of the slaves of such plantation, pen, or settlement, for the preceding year, under the penalty of fifty pounds, to be recovered from the owner of such plantation, pen, or other settlement.

Account of births and deaths of slaves to be given in yearly, under penalty of 50*l*.

X. And be it further enacted, by the authority aforesaid, That if the not giving in upon oath such several accounts shall be owing to the neglect of the overseer or manager of such plantation, pen, or other settlement, it shall and may be lawful for the owner, proprietor, or possessor, of such plantation, pen, or other settlement, to stop and detain the penalty he or she shall suffer by this law out of the wages of such overseer or manager.

If neglect in giving in accounts proceeds from overseers or managers, owner to deduct the penalty from their wages.

XI. And be it further enacted, by the authority aforesaid, That in case it shall appear to the satisfaction of the justices and vestry, from the return of the owner, overseer, or manager, aforesaid, that there has been a natural increase of the number of slaves on any such plantation, pen, or other settlement, the owner or proprietor of such plantation, pen, or other settlement, shall pay to the overseer the sum of three pounds for every slave born on such plantation, pen, or other settlement, in the time aforesaid, and which shall be then living, such sum to be by the said overseer divided in equal proportions among the mothers of the surviving children, the midwife, and the nurse or nurses attending such children; and the owner or proprietor of such plantation, pen, or other settlement, shall have a deduction from the first of his or her public taxes that shall become due of the sum so paid, on producing a certificate from the justices and vestry of such increase, and a receipt of the overseer of the sum so paid.

Overseer to be paid 3*l*. for every slave born on plantations, to be divided between the mothers, midwives, and nurses,

and which is to be deducted from the taxes of the proprietors.

Females who have six children living, whether their own or adopted, are to be exempted from hard labour, and their owners from taxes for them,

proof being given that the mother, or adoptive mother, and children, are living.

Possessors of slaves not to turn them away on account of infirmity,

but keep them on their properties, and provide for them, under penalty of 20l.

Wandering slaves may be taken up and

XII. And, in order that further encouragement may be given to the increase and protection of negro infants, be it further enacted, by the authority aforesaid, That every female slave, who shall have six children living, or who, having raised from infancy, and during the period of nurture, a child or children of deceased mothers, and which shall continue to live with her as her adopted child or children, shall have of her own, and of such so raised and adopted child or children, six children living, shall be exempted from all hard labour in the field or otherwise, and the owner or possessor of every such female slave shall be exempted from all manner of taxes for such female slave, any thing in the act, commonly called the poll-tax law, or any other of the tax laws of this island, passed or annually to be passed, to the contrary notwithstanding, and a deduction shall be made for all such female slaves from the taxes of such owner, or possessor, by certificate of the justices and vestry: **Provided nevertheless,** That proof be given on oath, to the satisfaction of the said justices and vestry, not only that the requisite number of children, together with the mother, or adoptive mother, are living, but also that the mother is exempted from all manner of field or other labour, and is provided with the means of an easy and comfortable maintenance.

XIII. And be it further enacted, by the authority aforesaid, That no master, owner, or possessor, of any slave or slaves, whether in his or her own right, or as attorney, guardian, trustee, executor, or otherwise, shall discard or turn away any such slave or slaves, on account or by reason of such slave or slaves being rendered incapable of labour or service to such master, owner, or possessor, by means of sickness, age, or infirmity; but every such master, owner, or possessor, as aforesaid, shall be, and he is hereby, obliged to keep all such slave or slaves upon his, her, or their, properties, and to find and provide them with sufficient clothing, wholesome necessaries of life, and not suffer such slave or slaves as aforesaid to be in want thereof, or to wander about or become burthensome to others for sustenance, under the penalty of twenty pounds for every such offence, to be recovered in a summary manner before any two justices of the peace in this island; who are hereby authorized, empowered, and required, to cause such master, owner, or possessor, his, her, or their, attorney, or agent, and such other persons as they shall judge necessary, to be summoned before them, to enable them to judge and determine of the propriety of such information, and whether such master, owner, or possessor, ought to incur the said penalty; and, in the meantime, and until such trial can be had, the said justices of the peace, upon

upon their own view, or upon the information of any free person, on oath, are hereby empowered and required to take up such wandering, sick, aged, or infirm, slave or slaves, and to lodge him, her, or them, in the nearest workhouse, there to be clothed and fed, but not worked, at the expence of the master, owner, or possessor, until such trial as aforesaid can be had; and if it shall appear to the said justices, on such trial, that the party or parties so complained of is or are guilty of the said offence, and shall refuse to pay the said sum of twenty pounds, and the fees of such workhouse, for the maintenance of such slave or slaves, together with the charges of clothing and of the conviction, the said justices are hereby required and empowered, under the penalty of twenty pounds, forthwith, by warrant under their hands and seals, directed to the constable, to commit such offender or offenders to the common gaol of the county or parish where the offence shall be committed, there to remain until he or she shall pay the said sum of twenty pounds and charges as aforesaid; one moiety, of which said fine shall be paid to the informer, who is hereby declared to be a good witness, and the other moiety shall be paid into the hands of the churchwardens of such parish, for the poor of the said parish; any law, custom, or usage, to the contrary notwithstanding.

sent to the workhouse, to be supported till possessor summoned and matter inquired into.

If possessor found guilty, and refuse to pay penalty, workhouse fees, &c. he is to be sent to gaol till he pay.

XIV. And whereas, from the decease and change of residence of many proprietors of slaves, and other circumstances, and from the manumission of negro, mulatto, and other slaves, without any suitable provision being made for their future maintenance, many unhappy objects, afflicted with contagious distempers, or disabled from labour by sickness, age, and otherwise, and, having no owners, prove dangerous, or become a burthen or nuisance to the several towns and parishes of this island: For remedy whereof, Be it further enacted, by the authority aforesaid, That the justices and vestrymen of the several towns and parishes in this island be empowered to lay a tax upon the several towns and parishes, in the same manner as the parochial taxes are usually laid, for the purpose of raising such a sum as they shall judge sufficient to provide for the maintenance, clothing, medical care, and attendance, in the workhouses or other convenient places of the said several towns and parishes of this island, of such negro, mulatto, or other slaves; or other unhappy objects, as aforesaid: And the magistrates respectively of such town and parish are hereby empowered and required, upon application being made to them, or either of them, or upon view, to order all such objects, as aforesaid, to be removed and conveyed to the respective workhouses of each parish, where (if a slave) the former proprietor or proprietors, owner or owners,

Justices and vestries to lay taxes for support of disabled negroes,

who are to be passed to the parishes where their former owners resided.

of

as are those
free poor who
have been
manumitted.

Vestries to
make regula-
tions for their
accommoda-
tion.

of such slave lived or resided; or, if a person manumitted or made free, of the parish wherein the owner or owners commonly resided, or the property was situated, to whom or to which such manumitted person belonged immediately previous to the execution of such manumission; or if such manumission be by will, immediately previous to the decease of the testator or testatrix, there to be lodged and taken care of, as aforesaid: And the magistrates and vestries of the several towns and parishes, as aforesaid, are hereby empowered and required to make, from time to time, all such humane and salutary regulations, for the purposes aforesaid, as to them shall seem necessary and expedient; and the supervisor or keeper of the workhouse in such parish, to which such slave or free person shall be sent by warrant from any other parish, shall be obliged to receive the same, under the penalty of twenty pounds.

In the case of
manumitted
persons be-
coming bur-
thensome to
any parish,
such parish
may have re-
course to the
security-bond
entered into
under
15 Geo. III.
Cap. 18.

XV. And it is hereby enacted and declared, That every parish in this island to which any manumitted person shall be removed, in pursuance of this act, or any clause of any former act for this purpose, as to the place of the legal settlement of such person, shall be entitled to claim all the advantages to be derived by law from the security-bond, directed to be entered into and given in and by an act, passed in the fifteenth year of his present majesty, entitled, *An act for regulating the manumission of negro, mulatto, and other slaves, and to oblige the owners to make a provision for them during their lives*, by any person or persons manumitting any slave or slaves, to the churchwardens of whatsoever parish such bond may have been given, as fully as if the same had been entered into to the churchwardens of the parish, to which such manumitted person shall become burthensome.

Property of
owners liable
for support of
deserted
slaves, though
not in the pa-
rish they be-
come burthen-
some to.

XVI. And be it further enacted, by the authority aforesaid, That in case any goods, chattels, or slaves, belonging to the owners of such old, infirm, and deserted, slaves, as aforesaid, who shall have become burthensome to any parish for support, shall thereafter be found in any part of this island, it may and shall be lawful for the churchwardens of every such parish to recover the full amount of all expences, to which such parish shall at any time have been put, on account of such deserted slaves, before any two justices of the peace of the parish or precinct wherein such goods, chattels, or slaves, shall be found, by distress and sale of the same.

XVII. And whereas it sometimes happens that aged, infirm, or disabled, slaves, belonging to the estates of insolvent debtors, re-
main

SLAVE LAWS OF JAMAICA.

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remain in the custody of the provost-marshal of this island, or his deputies, without a possibility of the same being sold for the benefit of the creditors of such estates: **Be it enacted, by the authority aforesaid,** That upon proof being made on oath, by any deputy-marshal, before any two magistrates of the district wherein he shall hold his appointment, that any slave or slaves of the above description has or have been in his custody for more than six months thereto preceding, that such slave or slaves have been repeatedly put up to sale by public outcry, that no bidder has offered to purchase the same, and there is no probability of his or her being sold, it may and shall be lawful for the said two magistrates to make an order, under their hands and seals, for the removal of such slave or slaves to the parish wherein the owner of such slave or slaves resided, at or immediately before the time when he or she took the benefit of the act for the relief of insolvent debtors, now in force, or hereafter to be in force, there to be maintained and provided for, according to the directions of this act, hereinbefore declared.

Disabled slaves, the property of insolvent debtors, in custody of provost-marshal, may be removed by order of two magistrates to the parish where their owner resided.

XVIII. And it is hereby enacted, That such order being recorded in the office of the clerk of the peace of the precinct, wherein the gaol of such deputy-marshal, as aforesaid, shall be situated, shall be deemed and taken, in all the courts of this island, as a complete and perfect acquittal of all demands, claims, suits, and actions of every kind, on or against such provost-marshal, or any of his deputies, as may or shall be made, instituted, or preferred, by any person or persons whatsoever, on account or by reason of the removal of any such slave or slaves as aforesaid out of his or their custody.

Such order being recorded in clerk of peace's office, provost-marshal and his deputies indemnified in acting under it.

XIX. And whereas negroes afflicted with the yaws, coco-bay, or other contagious disease, are sometimes permitted to leave their masters' property, and travel about the country, to the great annoyance of the public and of those in the neighbourhood: **Be it enacted,** That every owner or proprietor of slaves, or his, her, or their, overseer, as the case may be, permitting the same, shall forfeit the sum of twenty pounds for every such offence; one moiety of which to be paid to the informer, and the other moiety to the churchwardens, for the poor of the parish in which the offence shall be committed, and which forfeiture shall be recovered in a summary manner, on oath of the informer, or other person complaining, to be levied by warrant of the said magistrates; who, on refusal or failure of payment, are hereby authorized to commit the delinquent to the county or nearest gaol until paid.

If negroes afflicted with contagious diseases are allowed to leave the property, and travel about the country, the owner, &c. permitting the same to forfeit 20*l.* for each.

XX. And

Field slaves are to have half an hour for breakfast and two hours for dinner, and not to work before five nor after seven, except during crop, under penalty of 50*l*.

XX. And be it further enacted, by the authority aforesaid, That every field-slave on any plantation or settlement shall, on work days, be allowed half an hour for breakfast, and two hours for dinner; and that no slaves shall be compelled to any manner of field-work upon the plantation before the hour of five in the morning, or after the hour of seven at night, except during the time of crop, under the penalty of fifty pounds, to be recovered against the overseer or other person having the charge of such slaves.

Slaves to be allowed the usual holidays; but they are not to have two successive days.

XXI. And be it further enacted, by the authority aforesaid, That for the future all slaves in this island shall be allowed the usual number of holidays that were allowed at the usual seasons; of Christmas, Easter, and Whitsuntide: ~~Provided~~, That at every such respective season no two holidays shall be allowed to follow, or succeed immediately one after the other; any law, custom, or usage, to the contrary notwithstanding: And if any master, owner, guardian, or attorney, of any plantation or settlement, or the overseer of such plantation or settlement, shall presume, at the seasons aforesaid, to allow any holidays to any slave on any such plantation or settlement, other than is directed by this act to be given, every person, so offending, shall forfeit the sum of five pounds.

If persons allow them more holidays at those seasons, they forfeit 5*l*.

Slaves taking up runaways, or discovering their being harboured, are to be rewarded at discretion of a magistrate.

XXII. And, in order to encourage slaves for every good and worthy act that they shall do, be it further enacted, by the authority aforesaid, That every slave or slaves, that shall inform against any person who shall have or conceal any runaway slave or slaves, so that such runaway slave or slaves may be taken and restored to his or their owner or owners, or be committed to any workhouse, every such slave or slaves, so informing, shall be entitled to such reward as any justice shall think just and reasonable, and be paid by such person or persons as such justice shall determine, ought to pay the same, not less than ten shillings, nor exceeding twenty shillings, to be enforced by a warrant under the hand and seal of such justice.

If they kill or take rebels, they are also to be rewarded.

XXIII. And be it further enacted, by the authority aforesaid, That if any slave or slaves shall kill or take any slave or slaves in actual rebellion, he or she shall receive from the churchwardens of the respective parishes, where such slave or slaves shall have been killed, the sum of three pounds, and the sum of five pounds, if taken alive, and a blue cloth coat, to be paid and furnished by the churchwardens of the respective parishes where such slave or slaves shall have been killed or taken; the whole expence whereof shall be reimbursed by the receiver-general for the time being, out of any monies in his hands unappropriated.

XXIV. And

XXIV. And be it further enacted, by the authority aforesaid, That if any person hereafter shall wantonly, willingly, or blood-mindedly, kill, or cause to be killed, any negro or other slave, such person, so offending, shall, on conviction, be adjudged guilty of felony, without benefit of clergy, and shall suffer death accordingly for the said offence: **Provided always,** That such conviction shall not extend to the corrupting the blood, or the forfeiture of lands or tenements, goods or chattels; any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

Persons will-
fully killing
slaves to suf-
fer death.

Blood not cor-
rupted there-
by.

XXV. And, in order to prevent any person from mutilating, dis-
membering, or cruelly beating or confining, any slave or slaves, **Be it**
further enacted, by the authority aforesaid, That if any master, mis-
tress, owner, possessor, or other person whatsoever, shall, at his, her,
or their, own will and pleasure, or by his, her, or their, direction, or
with his, her, or their, knowledge, sufferance, privity, or consent,
mutilate or dismember any slave or slaves, or wantonly or cru-
elly whip, maltreat, beat, bruise, wound, or imprison, or keep in
confinement, without sufficient support, any slave or slaves, he,
she, or they, shall be liable to be indicted for such offence in the
supreme court of judicature, or in any of the assize-courts of this
island; and, upon conviction, shall be punished by fine not ex-
ceeding one hundred pounds, or imprisonment not exceeding twelve
months, or both, for each and every slave so mutilated or dismem-
bered, punished or confined; and such punishment is declared to
be without prejudice to any action that could or might be brought
at common law, for recovery of damages for or on account of the
same, in case such slave or slaves shall not be the property of the
offender: And in atrocious cases, where the owner of such slave
or slaves shall be convicted of such offence, the court, before whom
such offender shall have been tried and convicted, are hereby em-
powered, in case they shall think it necessary for the future pro-
tection of such slave or slaves, to declare him, her, or them, free
and discharged from all manner of servitude, to all intents and
purposes whatsoever: And, in all such cases, the court are hereby
empowered and authorized, if to them it shall appear necessary, to
order and direct the said fine of one hundred pounds to be paid to
the justices and vestry of the parish to which the said slave or
slaves belonged, to the use of the said parish; the said justices
and vestry, in consideration thereof, paying to each of the said
slave or slaves, so made free, the sum of ten pounds *per annum* for
his or her maintenance and support during life: And in case any
slave or slaves shall suffer any before-mentioned mutilations, or
wanton punishment, or confinement, such slave or slaves, on his,
her, or their, application to any justice of the peace, the said jus-
tice

Persons mutil-
ating slaves,
or consenting
thereto, may
be fined 100*l.*
and imprison-
ed twelve
months.

besides being
liable to an
action of da-
mages.

Court may, in
atrocious
cases, manu-
mit mutilated
slaves.

and order the
penalty to be
paid to vestry.

who are to al-
low each slave
10*l.* *per annum*.

Slaves complaining to a magistrate may be sent to the workhouse, to be supported and attended till meeting of vestry.

who are hereby created a council of protection, and are to inquire into such mutilations, and prosecute the offenders.

Owners may be sued for costs.

Workhouse-keeper to produce mutilated slaves at first vestry, under penalty of 20s.

Justices being informed that slaves are mutilated or confined without support, are to issue their warrants in order that they may be brought before them.

tice of the peace shall be, and is hereby, directed, required, and empowered, on view, and its appearing to his satisfaction that such mutilation, or wanton punishment, have been really suffered, to send such slave or slaves to the nearest workhouse where such offence shall be committed, and such slave or slaves shall be there safely kept, and carefully attended, but not worked, at the expence of such parish, until such time as there shall be a legal meeting of the justices and vestry of such parish, which meeting the said justice shall call as soon as conveniently may be; which justices and vestry, so met, are hereby created and appointed a council of protection of such slave or slaves: and the said justices and vestry, so met, are hereby directed and empowered to make further and full inquiry, upon view, and by the examination of witnesses, into the commitment of the mutilation or punishment of such slave or slaves; and, if to them it shall appear proper, the said justices and vestry are hereby empowered and required to prosecute to effect such owner or owners; the expence of which prosecution shall be paid by the parish, where such offence shall be committed: And in case the owner or owners of such slave or slaves shall appear capable of paying the costs and charges of such before-mentioned prosecution, the said justices and vestry are hereby empowered to commence suit or suits against such owner or owners of such slave or slaves, and recover all costs and charges out of purse, by them laid out and expended in such suit or suits: And the keeper or supervisor of the workhouse, where such slave or slaves shall have been first committed, is hereby directed and required, upon due notice of the first meeting of the justices and vestry of the parish where the offence was committed, to produce such slave or slaves for the inspection and direction of such justices and vestry, under the penalty of one hundred pounds for every neglect in not producing before such justices and vestry such slave or slaves.

XXVI. And be it further enacted, by the authority aforesaid, That in case any justice of the peace shall receive any complaint or probable intelligence, from any slave or otherwise, that any slave or slaves is or are so mutilated or punished, is or are confined without sufficient support, it shall and may be lawful for such justice of the peace, and he is hereby empowered and required, forthwith, to issue his warrant to any constable, ordering him immediately to proceed to the place where such slave or slaves are confined, and such slave or slaves to release and bring before such justice, who, on view of the fact, is hereby authorized to send such slave or slaves to the workhouse for protection, there to be kept, but not worked, until enquiry shall be made into the fact, according to law.

XXVII. And

XXVII. And, in order to restrain arbitrary punishment, be it further enacted, by the authority aforesaid, That no slave on any plantation or settlement, or in any of the workhouses or gaols in this island, shall receive more than ten lashes at one time and for one offence, unless the owner, attorney, guardian, executor, or administrator, or overseer, of such plantation or settlement, having such slave in his care, or supervisor of such workhouse, or keeper of such gaol, shall be present; and that no such owner, attorney, guardian, executor, administrator, or overseer, supervisor or gaol-keeper, shall, on any account, punish a slave with more than thirty-nine lashes at one time, and for one offence, nor inflict, or suffer to be inflicted, such last-mentioned punishment, nor any other number of lashes, in the same day, nor until the delinquent has recovered from the effects of any former punishment, under a penalty not less than ten pounds or more than twenty pounds for every offence; to be recovered against the person directing or permitting such punishment, in a summary manner, upon conviction before any two magistrates, by warrant, besides being subject to be prosecuted by indictment in the supreme or assize courts, or courts of quarter-sessions, of this island, as for an offence against this act.

No slave to have more than ten lashes at a time for one offence unless the owner, &c. or supervisor, &c. be present, nor more than thirty-nine on any account in one day, under penalty.

XXVIII. And be it further enacted, by the authority aforesaid, That in case any justices of the peace shall receive any complaint, or probable intelligence, from any slave or otherwise, that any slave or slaves has or have been improperly punished, contrary to the true intent and meaning of this act, it shall and may be lawful to and for such magistrate to associate one other of the magistrates of the said parish with him, and to inquire in a summary manner into such complaint; and if upon inquiry it shall be found that the said complaint is true, it shall be the duty of the said magistrates, and they are hereby required, to proceed against the offender according to law; but if it shall appear that such complaint was groundless, the said magistrates shall punish the complainant, and the person giving information thereof, in such manner as to them may seem proper.

Complaints of slaves being improperly punished to be inquired into summarily by two magistrates;

and, where they are groundless, complainants to be punished.

XXIX. And be it further enacted, by the authority aforesaid, That no such person shall, on any pretence whatsoever, punish any negro or other slave, whether his own property or otherwise, by fixing, or causing to be fixed, an iron or other collar round the neck of such slave, or by loading the body or limbs of such slave, for any offence whatsoever, with chains or weights, of any kind, other than a light collar without hooks, to indicate that such slave is an incorrigible runaway, or one accustomed to commit depredation.

Penalties on persons putting weights or chains on slaves or iron collars, other than here designated.

depredation on grounds of the other negroes, and which collar shall only be put on by the directions of a magistrate, on complaint being made, under a penalty not less than five pounds, nor exceeding fifty pounds, to be recovered in a summary manner before any two or more justices of the peace of the parish or precinct where the offence shall be committed, and all and every the justices of the peace within this island are hereby authorized, directed, and required, under the penalty of one hundred pounds, on information and view of such offence, to order such collar, chains, irons, or weights, to be immediately taken off from the slave or slaves wearing or bearing the same.

No slave to travel (unless to market) without a ticket,

under penalty of 40s. on the owner, &c.

If he cannot prove he gave a ticket, or that the slave went without his consent.

If justices do not inflict this penalty, they forfeit 5l.

XXX. And be it further enacted, by the authority aforesaid, That no slave, such only excepted as are going with fire-wood, grass, fruit, provisions, or small stock, and other goods which they may lawfully sell, to market, and returning therefrom, shall hereafter be suffered or permitted to go out of his or her master's or owner's plantation or settlement, or to travel from one town or place to another, unless such slave shall have a ticket from his master, owner, employer, or overseer, expressing particularly the time of such slave's setting out, and where he or she is going, and the time limited for his or her return, under a penalty not exceeding forty shillings for every slave so offending, to be recovered from the master, owner, employer, or overseer, in a summary manner, before any one justice of the peace, by warrant of distress, complaint being made to him upon oath; unless the master, owner, employer, or overseer, of such slave shall prove, upon oath, before any justice of the peace of the parish or precinct, where such master, owner, employer, or overseer, may or shall live, or happen to be, that he did give the said slave such ticket, as aforesaid, or that such slave went away without his consent, in which case the justice to order punishment; and if such justice shall refuse or neglect his duty, either in causing the penalty to be forthwith levied, on complaint being made to him, as aforesaid, on the owner, overseer, or any other person, who shall suffer a slave, being under his or their direction, to go without a ticket, as aforesaid, every justice so offending shall forfeit the sum of five pounds; any law, custom, or usage, to the contrary notwithstanding.

Tickets to be only for one month.

XXXI. And be it further enacted, by the authority aforesaid, That no ticket shall be granted to any slave or slaves for any time exceeding one calendar month.

XXXII. And

XXXII. And whereas, the more effectually to conceal runaway slaves, or prevent their being apprehended, tickets are given by Indians, free negroes, or free mulattoes: **Be it therefore enacted, by the authority aforesaid,** That any Indian, free negro, or mulatto, granting or giving such ticket, with such intent, shall be liable to be tried for the said offence before the supreme court of judicature, or in either of the courts of assize in this island where the offence shall be committed; and, on conviction, shall suffer transportation or such other punishment as the court, in their discretion, shall think proper to inflict, not extending to life.

Free people granting tickets to slaves of others to be punished as the court shall direct.

XXXIII. And be it further enacted, by the authority aforesaid, That if such ticket shall be granted or given by any white person, with such intent, as aforesaid, to any slave or slaves, before or after his or their absenting themselves from their owner, employer, overseer, or manager, such white person shall be liable to be tried for the same before the supreme court of judicature, or either of the assize courts of this island where the offence shall be committed; and, on conviction, shall suffer such punishment as the court, in their discretion, shall think proper to inflict, not extending to life.

White people doing so to be also punished at discretion of the court.

XXXIV. And be it further enacted, by the authority aforesaid, That if any master, owner, guardian, possessor, or attorney, overseer, or book-keeper, of any plantation or settlement, shall hereafter suffer any strange slaves to assemble together and beat their drums, or blow their horns or shells, upon any plantation, pen, or settlement, or in any yard or place under his, her, or their, care or management, or shall not endeavour to disperse or prevent the same, by immediately giving notice thereof to the next magistrate or commissioned officer, that a proper force may be sent to disperse the said slaves, every such master, owner, guardian, possessor, or attorney, overseer, or book-keeper, shall, for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature or courts of assize, or quarter-sessions of the parish wherein such offence shall be committed, pay a fine of fifty pounds to his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof: **Provided nevertheless,** That information of such offence shall be made, upon oath, before any of his majesty's justices of the peace, within the space of fourteen days after the commission of the offence.

Penalty of 50*l.* for not endeavouring to suppress unlawful assemblies of slaves.

Information must be given within fourteen days.

XXXV. And be it further enacted, by the authority aforesaid, That all officers, civil and military, shall be, and are hereby, empowered

Civil and military officers to suppress

such assemblies.

powered and required to enter into any plantation, settlement, or other place, to disperse all such unlawful assemblies, and to suppress and prevent all unlawful drummings, or other noise, as before mentioned, any law, custom, or usage, to the contrary notwithstanding, according to the nature, degree, or circumstances, of the case.

Overseers, &c. who suffer such assemblies, to be imprisoned six months,

If information given in fourteen days.

Slaves may have diversions on the properties they belong to, if no drums, &c. are used;

but they must be over by ten at night.

XXXVI. And whereas it has been found by experience that rebellions have been often concerted at negro dances, and nightly meetings of slaves, and as it has been found also that those meetings tend much to injure the health of negroes: **Be it further enacted, by the authority aforesaid,** That if any owner or proprietor, overseer, or, in his absence, any book-keeper, or other person having the care and management of any plantation or settlement, shall suffer any slaves to assemble together, or beat their drums, or blow their horns or shells, every such owner or proprietor, overseer, book-keeper, or other person, so offending, shall, for every such offence, upon conviction thereof, upon an indictment in the supreme court of judicature, or before the justices of assize, or court of quarter-sessions wherein such offence shall be committed, suffer imprisonment, without bail or mainprize, for any term not exceeding six calendar months; provided information is made, upon oath as aforesaid, before one of his majesty's justices of the peace, within fourteen days after the commission of such offence; but nothing herein contained shall be construed to prevent any master, owner, or proprietor, of any plantation or settlement, or the overseer thereof, from granting liberty to the slaves of such plantation or settlement only, for assembling together upon such plantation or settlement, and playing and diverting themselves in any innocent amusements, so as they do not make use of military drums, horns, or shells; but that they shall and may grant such liberty when and as often as they please, any thing in this or any other act to the contrary notwithstanding: **Provided,** That such amusements are put an end to by ten of the clock at night,

Negro burials to be over by sunset, or owner, &c. forfeits 50s.

XXXVII. And, in order to prevent riots and nightly meetings among negro and other slaves, to the disturbance of the public peace, and endangering their healths, **be it further enacted, by the authority aforesaid,** That all negro burials shall in future take place in the day-time only, so that the same may be ended before sunset; and if any master, owner, or possessor, of slaves, his or her overseer or chief manager, shall knowingly suffer or permit the burial of any slave otherwise than as before directed, he shall forfeit the sum of fifty pounds; and if any burials shall take place

In any of the towns of this island, or in savannas, commons, or other places, not in charge of an overseer, after sunset, every person of free condition, in whose house, yard, or premises, any slaves shall be permitted to assemble for attending such burial, shall forfeit a sum not less than five pounds, nor exceeding fifty pounds, and the negro or other slaves, who shall meet for the purpose of attending such burial, or be found thereat, shall, upon conviction before two or more magistrates, suffer such punishment as the said magistrates shall direct, not exceeding thirty-nine lashes.

Burials in towns, &c. must also be over before sunset.

XXXVIII. And be it further enacted, by the authority aforesaid, That if any Indian, free negro, or mulatto, or white person, shall hereafter suffer any unlawful assembly of slaves at his or her house or settlement, every such Indian, free negro, mulatto, or white person, shall, upon due conviction thereof, before any court of quarter-sessions, suffer punishment by fine not exceeding one hundred pounds, or imprisonment not exceeding six months: ~~Provided nevertheless~~, That information thereof shall be given on oath within fourteen days of such unlawful meeting.

Penalty on persons permitting unlawful assemblage of slaves at their houses or settlements.

if complained of in fourteen days.

XXXIX. And whereas the permitting and suffering negro and other slaves to keep horses, mares, mules, or geldings, is attended with many and great mischiefs to the island in general: In order, therefore, to remedy the same, be it further enacted, by the authority aforesaid, That, from and after the commencing of this act, no master, owner, proprietor, attorney, guardian, trustee, or other person in possession of any plantation, pen, or settlement, or holding a property of slaves, although not settled on any property, shall knowingly permit or suffer any slave or slaves to keep on such plantation, pen, or settlement, any horse, mare, mule, or gelding; and in case of so doing, shall, for every offence, forfeit the sum of thirty pounds, to be recovered in a summary manner, before any two justices of the peace for the parish or precinct where such offence is committed or permitted.

Owners, &c. of slaves knowingly permitting them to keep horses, &c. to forfeit 30*l.* for each offence.

XL. And be it further enacted, by the authority aforesaid, That every master, owner, proprietor, attorney, guardian, trustee, or other person, at the respective times of their giving in an account of their slaves and stock to the justices and vestry, shall also make oath that none of the said horses, mares, mules, or geldings, so given in, do belong to any negro or other slave; and that such person so giving in, or his, her, or their, employer or employers, hath not, nor have, in his, her, or their, possession, to his, her, or their, knowledge or belief, any horse, mare, mule, or gelding, belonging to,

When stock given in, oath to be made that none of the horses, &c. belong to any slave, under penalty of 30*l.* for neglect or refusal.

to,

Any person discovering horses, &c. belonging to slaves must send them to the pound.

From which they are to be advertised and sold.

Net proceeds to be divided between the owner in of the stock and the poor.

Properties of persons manumising slaves subjected to the annual sum allowed by law for their support.

to, or reputed to belong to, any slave or slaves; and in case any person or persons shall neglect or refuse so to do, any person so neglecting or refusing shall, for every offence, forfeit the sum of thirty pounds, to be recovered in the same summary manner, and to be disposed of as hereinafter mentioned: And if any person or persons hereafter shall discover any horse, mare, mule, or gelding, belonging to any negro or other slaves, he shall forthwith take and send the same to the nearest pound of the parish where such horse, mare, mule, or gelding, shall be found; and the keeper of the pound aforesaid shall, and he is hereby obliged to, receive the same, under penalty of ten pounds for each and every horse, mare, mule, or gelding so refused, unless the same shall be disordered so as to endanger the cattle or other stock already in the pound, in which case only it shall and may be lawful for such pound-keeper to refuse such disordered horse, mare, mule, or gelding; and upon reception into the pound of any horse, mare, mule, or gelding, the property or supposed property of any negro or other slave, the pound-keeper aforesaid shall, for four successive weeks, advertise the same in the Gazette or Chronicle of the county where such pound is situate, under the head of negro stock, and describing the height, colour, and marks, in the most particular manner; and, in one week after the expiration of the said four weeks' advertisement, shall put up and sell the same, at the usual place of public sales in the said parish, and after deduction of the usual charges of the pound, in which no mile-money shall form a part, shall pay one moiety of the net proceeds to the person who brought in such horse, mare, mule, or gelding, and the other moiety to the churchwardens of the parish, for the benefit of the poor of the said parish.

XLI. And whereas it may happen that slaves directed to be manumitted by will, may find it difficult to establish their freedom, by reason of the person or persons acting under such will refusing to enter into the security required by law on the manumission of slaves: Be it enacted, by the authority aforesaid, That, from and after the passing of this act, whenever any person shall, by will, in writing, expressly manumit, or direct to be manumitted, any slave or slaves, belonging to him or her, the usual bond required by law in cases of manumission shall not be necessary, but the estate of the person so manumising any slave or slaves, or directing any slave or slaves to be manumitted, shall be, and the same is hereby declared to be, liable to the payment of the annual sum required by law to be paid to any slave manumitted, and the freedom of such slave, so manumitted, or directed to be manumitted, by will, shall be at once established: ~~Provided always~~ ^{Provided always}, That no-
thing

thing in this act contained shall extend, or be construed to extend, to exempt such slaves so manumitted from any debt or demand against the estate of the testator to which such slave or slaves should be otherwise liable: And provided always, and it is hereby enacted, That any will in writing, which by law would be deemed valid and sufficient for disposing of goods and chattels, or other personal estate, shall be, and the same is hereby declared to be, valid and sufficient for manumitting, or directing to be manumitted, any slave or slaves, any thing in a certain statute, made and passed in the twenty ninth year of the reign of his majesty king Charles the second, commonly called the statute of frauds and perjuries, or in a certain act of the governor, council, and assembly, of this island, made and passed in the sixteenth year of his present majesty's reign, entitled, *An act to regulate the devises of negro, mulatto, and other slaves in wills*, or any act, law, usage or custom, to the contrary thereof in anywise notwithstanding

Slaves to be manumitted by will not exempted from any debt against the estate of the testator.

Wills valid for the disposal of goods, &c. sufficient for the manumission of slaves.

16th Geo. III. cap. 14, page 2.

XLII. And whereas it is expedient to prevent slaves from being purchased by persons for the purposes of resale, and to prevent such resales: Be it enacted, That, from and after the passing of this act, if any person or persons shall be found travelling about from place to place, exposing or offering for sale any negro, mulatto, or other slave or slaves, it shall and may be lawful for any person whomsoever, to seize and detain any such person or persons, and the slave and slaves, under his or their charge, and to carry such person or persons, and slave or slaves, before any one of his majesty's justices of the peace or parish where such offence shall be committed, which said justice is hereby authorized and required to call to his assistance one other justice of the said parish, and which two justices, being so associated, shall, on due proof, on oath, that the party or parties, brought before them, had been found exposing or offering a slave or slaves to sale, contrary to the true intent and meaning of this act, cause the said slave or slaves, so offered for sale, to be publicly sold by warrant, under the hands and seals of the said two justices, one moiety of the monies arising from the sale thereof, after deducting the expences of the said sale, to be paid into the hands of the churchwardens of the said parish where the offence shall be committed, for the use of the poor of the said parish, and the other moiety to the use of the person or persons, who shall bring the offender or offenders before the said justices.

Persons travelling about the country for the purpose of trafficking in slaves to be taken up and carried, with the slaves, before a justice, who is to proceed against them as herein directed.

On due proof, such slaves to be sold, one moiety of sale to the poor the other to the informer.

XLIII. And it is hereby enacted and declared, That the oath of the person or persons, bringing such offender or offenders before

The oath of the informers sufficient.

the

SLAVE LAWS OF JAMAICA

the said justices, shall be received and taken, and shall be considered good evidence against such offender or offenders.

Sales of slaves made as afore-
said to be null
and void, and
the slaves for-
feited.

Justices, on
information,
to issue war-
rants to take
up slaves so
sold, to sell
them, and ap-
ply the mo-
ney as before.

XLIV. And be it further enacted, by the authority aforesaid, That if any sale or sales of slaves shall be so made, as afore-
said, the same shall be, and are hereby declared to be, null
and void, and that no title shall accrue to the purchaser
or purchasers thereof; and any slave or slaves, so sold, shall
become forfeited, and any justice of the peace, on receiving in-
formation, on oath, of any such sale or sales, shall issue his
warrant to take up such slave or slaves; and if it shall appear
to his satisfaction that such slave or slaves has or have been so
sold, he shall declare the same to be forfeited, and proceed to sell
the said slave or slaves, and apply the money arising from such
sale in manner hereinbefore mentioned.

Proceedings
under this act
cannot be re-
moved into the
supreme or
other courts.

XLV. And it is hereby enacted, by the authority aforesaid, That no writ of *certiorari* or other process shall issue, or be issuable
to remove any proceedings whatsoever, had in pursuance of this
act, into the supreme court of judicature, or any other of the
courts of this island.

Slaves con-
cerned in re-
bellions, or
committing
murder, or
other felony,
to suffer death,
transportation,
&c. as the
court may
think fit.

XLVI. And whereas it is absolutely necessary that the slaves
in this island should be kept in due obedience to their owners, and
in due subordination to the white people in general, and, as much
as in the power of the legislature, all means and opportunities of
slaves being concerned in rebellious conspiracies, and committing
other crimes, to the ruin and destruction of the white people and
others in this island, prevented, and that proper punishments
should be appointed for all crimes to be by them committed: *Be*
it further enacted, by the authority aforesaid, That if any slave or
slaves shall, after the commencement of this act, enter into or be con-
cerned in any rebellion, or rebellious conspiracy, or commit any mur-
der, felony, burglary, robbery, or set fire to any houses, out-houses,
negro-houses, cane-pieces, grass or corn pieces, or break into such
houses, out-houses, or negro-houses, in the day time, no person
being therein, and stealing thereout, or compass or imagine the
death of any white person, and declare the same by some overt
act, or commit any other crime which would subject white persons,
or persons of free condition, to be indicted for felony, such slave
or slaves shall, for every such offence or offences, upon trial and
conviction thereof, in manner hereinafter mentioned, suffer death,
transportation, or such other punishment as the court shall think
proper to direct, according to the nature and extent of the offence.,

XLVII. And

XLVII. And be it further enacted, by the authority aforesaid; That if any slave shall assault or offer any violence, by striking or otherwise, to or towards any white person, or persons of free condition, such slave, upon due and proper proof, shall, upon conviction, be punished with death, transportation, or confinement to hard labour for life, or a limited time, or such other punishment, according to the nature of the offence, as the court shall in their discretion think proper to inflict; provided such assault or violence be not by command of his, her, or their, owners, overseers, or persons entrusted with them, or in the lawful defence of their owners' persons or goods.

Slaves guilty of assaults or other violence, to be punished at discretion of the court.

unless by order or in defence of their owner, &c.

XLVIII. And be it further enacted, by the authority aforesaid, That if any slave or slaves shall hereafter be found to have in his, her, or their, custody, or possession, any fire-arms, pikes, sabres, swords, cutlasses, lances, gunpowder, slugs, or ball, without the knowledge of his, her, or their, owner, proprietor, or possessor, or his, her, or their, overseer, such slave or slaves shall be taken before two magistrates, who shall, if they are of opinion that the same was with evil intent, commit such slave or slaves to the gaol, to be tried by a slave-court, as hereinafter directed, and, upon conviction, the said slave or slaves shall suffer death, transportation, or such other punishment as the court shall think proper to direct.

How slaves possessing fire or other arms without knowledge of their owner, &c. are to be dealt with.

XLIX. And, in order to prevent the many mischiefs that may hereafter arise from the wicked art of negroes going under the appellation of obeah men and women, and pretending to have communication with the devil and other evil spirits, whereby the weak and superstitious are deluded into a belief of their having full power to exempt them, whilst under their protection, from many evils that might otherwise happen, be it further enacted, by the authority aforesaid, That, from and after the commencing of this act, any slave who shall pretend to any supernatural power, in order to excite rebellion, or other evil purposes, or shall use, or pretend to use, any such practices, with intent, or so as to affect or endanger the life or health of any other slave, shall, upon conviction thereof, suffer death or transportation; any thing in this or any other act to the contrary in anywise notwithstanding.

Slaves pretending to supernatural power may be sentenced to death, &c.

L. And whereas it has been found that the practice of ignorant, superstitious, or designing, slaves, of attempting to instruct others, has been attended with the most pernicious consequences, and even with the loss of life: Be it enacted, That any slave or slaves, found guilty of preaching and teaching as Anabaptists, or other:

Punishment on slaves preaching or teaching as Anabaptists, or otherwise, without permission.

wise, without a permission from their owner and the quarter-sessions for the parish in which such preaching or teaching takes place, shall be punished in such manner as any two magistrates may deem proper, by flagellation or imprisonment in the workhouse to hard labour.

Nightly meetings of slaves unlawful, and free people attending them how punishable.

If offender be a slave, he or she is to be punished as slave-court may direct.

LI. And whereas a practice of nightly and other private meetings has frequently taken place amongst the slaves in several parts of this island, and which have been unknown to the owner, attorney, or other person having charge of the slaves of the property, and as such meetings are injurious to the health of the slaves, and of dangerous tendency: Be it further enacted, by the authority aforesaid, That in future all such meetings shall be deemed unlawful, and the persons, who shall or may attend them, shall be liable to be apprehended and taken before any magistrate of the parish wherein the offence shall be committed, and, if any person of free condition attend such meeting, and it appears to the said magistrate, on the oath of the person accusing the party, that he or she is guilty, he or she shall be committed to gaol to be tried at the next quarter-session of the parish for the said offence, and, if convicted thereof, he or she shall be sentenced to imprisonment in the county-gaol for such period of time as the justices, before whom he or she shall be so convicted, think proper to direct, not exceeding three months: And if the offender be a slave, he or she shall be tried at a slave-court, and, if convicted thereof, he or she shall be sentenced by the said court to hard labour for such time as the court shall think proper to direct, or to receive such other punishment, by flogging not exceeding thirty-nine lashes at one time, as the court shall order and direct.

Slaves preparing or giving poison, though death does not ensue, are to suffer death.

LII. And be it further enacted, by the authority aforesaid, That if any negro or other slave or slaves shall mix or prepare, with an intent to give or cause to be given, any poison, or poisonous or noxious drug, pounded glass, or other deleterious matter, in the practice of obeah or otherwise, although death may not ensue on the taking thereof, the said slave or slaves, together with their accessories as well before as after the fact (being slaves), being duly convicted thereof, shall suffer death; any thing in this or any other act to the contrary in anywise notwithstanding.

Punishment on slaves having any poisonous drugs, &c.

LIII. And be it further enacted, That if there shall be found in the possession of any slave any poisonous drugs, pounded glass, parrots' beaks, dogs' teeth, alligator's teeth, or other materials notoriously used in the practice of obeah or witchcraft, such slave, upon

Upon conviction, shall be liable to suffer transportation from this island, or such other punishment, not extending to life, as the court shall think proper to direct.

poisonous drugs,
pounded glass,
&c. in their
possession.

LIV. And whereas it is necessary to prevent secret and unlawful meetings of slaves : Be it therefore enacted, by the authority aforesaid, That all and every slave or slaves, who shall be found at any meeting, formed either for the purpose of administering unlawful oaths, by drinking human blood mixed with rum, gravedirt, or otherwise, or of learning the use of arms, or for any other unlawful or dangerous purpose, such slave or slaves shall, on conviction thereof, suffer death, or transportation for life, as the court shall direct.

Slaves found
at any meet-
ing, formed
for adminis-
tering unlaw-
ful oaths, &c.
are to be pu-
nished as
court shall di-
rect,

LV. And be it further enacted, by the authority aforesaid, That if any person or persons, either white or of free condition, shall be present at any such meeting, and aiding and assisting in any of the unlawful purposes before mentioned, such person or persons shall, upon conviction thereof in the supreme court, or either of the courts of assize of this island, be punished by death, transportation off this island for life, or fine or imprisonment, or both, at the discretion of the court before whom such person or persons shall be tried.

all are white
or free people
present at
such meet-
ings.

LVI. And be it further enacted, That if any person or persons, having knowledge of such unlawful meetings, as aforesaid, shall not forthwith give information thereof to a justice of the peace, such person or persons shall, on conviction before the supreme or either of the courts of assize of this island, suffer such punishment, by fine or imprisonment, or both, or by public whipping, as the court before which such person or persons shall have been so convicted shall direct.

Persons hav-
ing knowledge
of such unlaw-
ful meetings,
and not giving
information
thereof, to be
punished at
discretion of
court.

LVII. And be it further enacted, by the authority aforesaid, That if any negro or other slave shall, after the commencement of this act, steal any horned cattle, sheep, goat, hog, horse, mare, mule, or ass, or shall kill any such horned cattle, sheep, goat, hog, horse, mare, mule, or ass, with intent to steal the whole carcass of any such horned cattle, sheep, goat, hog, horse, mare, mule, or ass, or any part of the flesh thereof, such negro or other slave shall, on conviction thereof, suffer death, transportation, or such other punishment as the court shall in its discretion inflict.

Slaves stealing
horned cattle,
sheep, horses,
&c. may be
condemned to
death.

LVIII. And

If slaves have in their possession twenty pounds of meat, unaccounted for, they are to be whipped, not exceeding thirty-nine lashes; and if above twenty pounds, justices to assign punishment, not affecting life.

LVIII. And whereas great numbers of horned cattle, sheep, goats, hogs, horses, mares, mules, and asses, are frequently stolen and killed by negro and other slaves, in so secret and private a manner that it is with the greatest difficulty they can be found out and discovered, in such manner as to convict them of such offence, although large quantities of beef, mutton, and the flesh of other valuable animals, are found upon him, her, or them: In order, therefore, to prevent such evils in future, and to punish the perpetrators of such acts agreeable to their crimes, **Be it enacted by the authority aforesaid,** That if any negro or other slave shall fraudulently have in his, her, or their, custody, or possession, unknown to his or her master, owner, overseer, or other persons who shall have the overlooking or employing of such slave, any fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule, or ass, in any quantity not exceeding twenty pounds weight, without giving a satisfactory account in what manner he or she became possessed thereof, such negro or other slave, upon conviction thereof before any two magistrates, shall be whipped in such manner as such magistrates shall direct, not exceeding thirty-nine lashes; and if there shall be found in his, her, or their, custody or possession a larger or greater quantity than twenty pounds weight of fresh beef, veal, mutton, pork, or goat, or the flesh of horse, mare, mule, or ass, and such slave shall not give a satisfactory account how he or she became possessed of such meat, then such negro or other slave, upon conviction thereof, shall suffer such punishment as the said two justices shall think proper to inflict or direct, not extending to life or imprisonment for life.

Punishment on slaves quarring or injuring horned cattle, horses, &c.

LIX. And be it enacted, by the authority aforesaid, That if any negro or other slave shall wantonly and cruelly cut, chop, shoot at, or otherwise maim and injure, any horned cattle, horse, gelding, mare, mule, or ass, such negro or other slave shall, for every such offence, be tried, in a summary manner, before two or more justices of the peace of the parish or precinct, where the offence shall be committed, and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, to be inflicted at one or more different times, or two months' hard labour in the workhouse; and in all cases where, from such treatment as above set forth, any horned cattle, horse, gelding, mare, mule, or ass, shall be killed, or shall die within ten days after the offence committed, although the carcass, or any part of the flesh thereof, may not be stolen, such negro or other slave shall be tried at a slave-court, and, on conviction thereof, suffer death, transportation,

transportation, or confinement to hard labour for life, or such other punishment as the court shall think proper.

LX. Be it further enacted, by the authority aforesaid, That any slave or slaves shall, by wantonly and cruelly cutting, chopping, striking, or, by any other manner or way whatsoever, mutilate, disfigure, dismember, or injure, any slave or slaves, so as to endanger life, although death shall not ensue, or that such slave or slaves shall become a cripple, or lose any of his or her limbs, or be deprived of the use thereof, all and every or any such slave or slaves so offending shall, for every or any such offence, be tried at a slave-court, and, upon conviction, shall, for the first offence, suffer such punishment, not extending to life, as the court shall think proper to direct, according to the circumstances of the case; and, for a second offence, upon conviction, shall suffer death, or transportation for life, as the court shall direct.

Punishment on those w. wantonly cutting and chopping any other slave.

LXI. And whereas the practice of negroes to clear their grounds by fire is highly dangerous to the neighbouring properties, and frequent instances of alarm and injury occur for want of some restraint in that respect: For prevention of so great an evil, be it further enacted, That if any injury shall arise to the owner, proprietor, or possessor of one property, by a slave or slaves on the adjoining property clearing ground by fire, the slave or slaves, who shall so clear ground by fire, by which injury shall result to the adjoining property, shall be proceeded against, tried, and punished, if found guilty, as and for a misdemeanour; and if the overseer, or other person then actually having charge of the property on which such fire shall originate, shall have knowledge that any negro under his charge has made any such fire for clearing his or her ground, and shall not forthwith use his best endeavours to cause the same to be extinguished, and such fire shall cause injury to the neighbouring property, such overseer or other person shall suffer such fine as any two justices of the peace of the parish, wherein such injury shall happen, shall award, not exceeding ten pounds for one and the same offence; the complaint whereon shall be heard, determined, and the penalty, when imposed, shall be enforced, in a summary manner, before any two justices of the peace.

Punishment on slaves clearing their grounds by fire, if injury arise.

Overseers, &c. having knowledge that any fire has been made for such purpose, and not doing their utmost to extinguish it, shall be fined at discretion of two justices.

LXII. And whereas it is very dangerous to the peace and safety of this island to suffer slaves to continue out as runaways, and it is absolutely necessary to declare and make known to the public what slaves shall be deemed such: Be it enacted, by the authority aforesaid, That, from and after the commencement of this act, any slave

slaves absent five days, or found eight miles from

home, without
tickets, to be
deemed run-
aways.

slave or slaves who shall be absent from his owner or employer, without leave, for the space of five days, or who shall be found at the distance of eight miles from the house, plantation, or other settlement, to which such slave or slaves shall belong, without a ticket or other permit to pass, except as hereinbefore excepted in going to and returning from market, shall be deemed a runaway.

Slaves, who
shall run away
for a longer
period than
six months, to
be punished as
the court shall
direct.

LXIII. And be it further enacted, by the authority aforesaid, That if any slave shall run away from his or her owner, or lawful possessor, and continue absent for a term exceeding six months, such slave, being convicted thereof, shall be sentenced to be confined to hard labour for such time as the court shall determine, or be transported for life, according to the magnitude of the offence.

Punishment
on those who
continue ab-
sent for a
shorter period
than six
months,

and those who
are incorrigi-
ble runaways.

LXIV. And be it further enacted, by the authority aforesaid, That if any slave shall run away from his or her lawful owner or possessor, as aforesaid, and continue absent for any term not exceeding six months, such slave shall be liable to be tried before two justices, and, upon conviction thereof, shall, for the first offence, suffer such punishment, by flogging or confinement to hard labour not exceeding three months, as the said two justices shall think proper to direct; but if the said slave hath frequently run away, and is by his owner or possessor declared to be an incorrigible runaway, he shall be tried as if he had been run away from his said owner or possessor, and continued absent for a term exceeding six months, and such slave, being convicted thereof, shall be sentenced to be confined to hard labour or be transported for life, as the court shall direct.

Slaves, har-
bouring run-
aways to re-
ceive punish-
ment not ex-
tending to life.

LXV. And be it further enacted, by the authority aforesaid, That any slave or slaves, who shall knowingly harbour or conceal any runaway slave or slaves, shall be liable to be tried for the same, at the slave-court hereinafter appointed, and, on conviction, shall suffer such punishment as the court shall think proper to direct, not extending to life.

Owner, &c.
to pay 10s.
and mile-mo-
ney for each
runaway
taken up.

LXVI. And be it further enacted, by the authority aforesaid, That any slave, or other person or persons whatsoever, who shall apprehend any runaway slave or slaves, shall, for every one so apprehended, be entitled to receive from the owner, employer, overseer, or manager of such slave or slaves, the sum of ten shillings, and no more, besides mile-money at the rate of one shilling *per* mile for the first five miles, and six pence *per* mile for every mile afterwards: **Provided nevertheless,** That nothing in this act con-
tained

shall be construed to extend to an allowance of the said sum of ten shillings, and mile-money, in addition to the sum allowed to maroon negroes for apprehending runaways: And provided also, That it is not hereby intended to deprive the said maroons of their legal and established reward of forty shillings for each negro.

This act not to alter rewards to maroons.

LXVII And be it further enacted, by the authority aforesaid, That the person or persons, so apprehending such runaway slave or slaves, shall convey him, her, or them, to their respective owner, employer, or manager, or to the workhouse of the parish in which they may be apprehended, if any workhouse is established there, and, in case of there being no workhouse, to the next gaol; and the gaoler or workhouse-keeper is hereby required and ordered to receive such slave or slaves into his or their custody, and to pay the party delivering such slave or slaves the said sum of ten shillings and mile-money as aforesaid, and no more, for each slave so delivered, under the penalty of five pounds.

Slaves, when apprehended, to be conveyed to the owner, &c. or the workhouse of the parish; but if no workhouse in the parish, then to the nearest gaol. Workhouse or gaol-keeper must receive such slaves, and pay reward and mile-money under the penalty of £5.

LXVIII. And, to the end that the owners and proprietors of runaway slaves may have a due knowledge where such slaves are confined, after their being apprehended and sent to any workhouse or gaol in this island, in order that such owners or proprietors may apply for such slaves, be it further enacted, by the authority aforesaid, That, from and after the commencement of this act, all and every the keepers of the workhouses or gaol-keepers in any of the parishes of this island shall, and they are hereby obliged, once in every week, to advertise in the Gazette of St. Jago de la Vega, the Royal Gazette, and the Cornwall Chronicle, the height, names, marks, and sex, and also the country, where the same can be ascertained, of each and every runaway slave then in their custody, together with the time of their being sent into custody, and the name or names of the owner or owners thereof, if known, and that upon oath, under the penalty of ten pounds for every slave so neglected by him to be advertised; and for the expence of such advertisement they the said workhouse-keepers or gaol-keepers shall and may, and they are hereby authorized to, charge the owner or proprietor of such runaway slaves, so advertised, at and after the rate of three shillings and four pence per month for each paper, and no more; which said sum of three shillings and four pence per month for each paper to be paid to the printers of the several papers respectively, the amount of whose accounts, after being properly authenticated upon oath, shall be paid annually by the treasurers for the time being of the several workhouses in this island:

Workhouse and gaol keepers to advertise weekly, in each county paper, all runaways in their possession, with full descriptions of them, under penalty of 10*l*. charging 3*s*. 4*d*. for each paper per month, which owners are to reimburse.

Advertising accounts to be paid annually by treasurers.

R

And

Slaves may be detained till all expences paid

with 2s. 6d. in the pound

also 6d. per day for maintenance, 2d. per day for medical care where necessary, &c.

which charges must be ascertained.

Slaves committed under judgment excluded from payment of fees

Slaves in confinement to have sufficient provisions, under penalty of 10s. Rations for them.

also clothing.

On a negro or other person detained as runaway alleging himself to be free, custos to summon a special ses.

And that it shall and may be lawful for the keeper of the workhouse or gaol-keeper to detain and keep in his or their custody such runaway slave or slaves, so brought unto him or them, until the owner or owners thereof, or some person on their behalf, properly authorized, shall pay unto him or them what he or they so paid to the person or persons, who apprehended and brought such slave or slaves into custody, with two shillings and six pence in the pound for laying out his or their money, the cost of advertising, at and after the rate above mentioned, and six pence for every twenty-four hours such slave or slaves shall have been in custody, for maintenance, and two pence per day for medical care and extraordinary nourishment where necessary, the expence of clothing when supplied, and also the charges of advertising above directed, and no other fees whatever; and that the gaoler, workhouse-keeper, or supervisor; and no other person, shall attest, upon oath, that the charges in the account for mile-money, and the reward for apprehending such slave, were actually paid to the person who brought such runaway, and that the whole of the charges in the said account are strictly conformable to law: **Provided always, and it is hereby declared,** That the owner or owners of any slave to be committed by the judgment of any slave court, or by order of the magistrates, to any workhouse, by way of punishment, shall not be answerable for, or compelled to pay, the workhouse fees for the time such slave shall be so committed and confined.

LXIX. And be it further enacted, by the authority aforesaid, That the keeper of every workhouse or gaol in this island shall, under the penalty of ten pounds, for every neglect, provide and give to every slave confined in such workhouse or gaol a sufficient quantity of good and wholesome provisions daily; that is to say, not less than one quart of unground Guinea or Indian corn, or three pints of the flour or meal of either, or three pints of wheat flour, or eight full grown plantains, or eight pounds of cocoes or yams, and also one herring or shad, or other salted provisions equal thereto, and shall also, under the like penalty, provide and supply every such slave, confined as aforesaid, with good and sufficient clothing where necessary.

LXX. **Provided always, and it is hereby enacted,** by the authority aforesaid, That in case any negro or other person sent in, and detained in, any gaol or workhouse, as a runaway slave, shall allege himself or herself to be free, it shall be the duty of the custos or senior justice of the parish or precinct, wherein such gaol or workhouse is situated, to convene, as soon as conveniently may, be.

26; a special sessions, consisting of not less than three justices of the peace of such parish or precinct, and of which special sessions, and of the time and place of holding the same, due notice shall be given in the several county newspapers of this island; and which special sessions, being so convened, shall carefully and attentively investigate, inquire into, and examine, the truth of such allegation, and if it shall appear to such special sessions that such person, so detained as a runaway slave, is free, such person shall be forthwith discharged, and, in case it shall appear to such special sessions, that such person is a slave, he or she shall be forthwith remanded to the workhouse or gaol, whereto he or she had been sent: **Provided always, and it is hereby declared,** That the decision of such special sessions shall be without prejudice to the prosecution of the right or title of any person to such runaway, or to the prosecution, by such person detained as a runaway, of his or her right or title to his or her freedom.

alone, to investigate the truth thereof.

If entitled to freedom to be forthwith discharged; if a Slave remanded.

Decision not to prejudice title.

LXXI. And it is hereby further enacted, by the authority aforesaid, That no slave or slaves, so detained as a runaway slave or slaves, shall be sold by any gaoler, supervisor, or workhouse-keeper, until such special sessions has been convened and held, and such investigation, inquiry, and examination had, and without the same being certified by the justices attending such special sessions, under their hands and seals; and the sale of any runaway slave or slaves, made without such certificate being obtained, shall be, and the same is hereby enacted and declared to be, null and void, to all intents and purposes, and no right, title, or interest whatsoever, shall pass thereunder to any purchaser whomsoever, any thing in this act, or in an act of the lieutenant-governor, council, and assembly, of this island, made and passed in the thirty-second year of his present majesty's reign, entitled, *An act for establishing public workhouses in the several parishes in this island*, or any other act, law, usage, or custom, to the contrary in anywise notwithstanding.

No slaves, detained as above, to be sold until such investigation takes place.

Such sale declared void

32 Geo. 3 Cap. 11. Page 23.

LXXII. And be it further enacted, by the authority aforesaid, That, from and after the commencement of this act, every supervisor, intendant, or keeper of any public workhouse in this island, who shall have any action in replevin, *hæcine replegiando*, or ejectment, brought against him for any negro or other slave or slaves in his custody, shall, under a penalty for every offence, not less than five pounds nor exceeding fifty pounds, as shall be inflicted by the judges of his majesty's supreme court of judicature or courts of assize in this island, immediately after he receives

Four weeks notice in county papers to be given by supervisors, &c. of replevin, &c. brought against them for slaves in the workhouse.

Expences to be paid by person recovering.

If any person give notice to supervisors, &c. of an intention to defend such actions, supervisors must detain in custody the slaves in dispute until trial, under penalty of 100*l*.

such replevin, *homine replegiando*, or ejectment, give notice in the several county newspapers of such action, and at whose suit it is brought, and the name or names of such negro or other slave or slaves, together with his, her, or their, mark or marks, and the best information he can get concerning the real owner of such slave or slaves, and shall continue such notice for four weeks before the trial shall be had upon such replevin, *homine replegiando*, or ejectment, or such slave or slaves be taken out of the custody of such supervisor, intendant, or workhouse-keeper; the costs of which, and all other expences incurred, shall be paid to such supervisor, intendant, or workhouse-keeper, by the person who shall recover such slave or slaves: And if any person or persons shall give notice to such supervisor, intendant, or keeper of any workhouse, of his, or her, or their, intention to take the defence of any action so brought, such supervisor, intendant, or keeper of a workhouse, shall detain in his custody the slave or slaves, for or by whom such action shall be brought, until the trial of such action or order of the court thereon, under the penalty of one hundred pounds, unless the security offered in cases of *homine replegiando* shall justify, before a judge of the grand court or courts of assize, in such sum as such judge shall think proper, notice of such justification, and the time and place thereof, and the judge before whom the same is to be taken, being given to the person intending to take the defence of such action.

Runaways to be committed to workhouses only.

LXXIII. And be it further enacted, by the authority aforesaid, That no runaway slave shall, on any account, be committed to gaol by any magistrate of a parish where there is any workhouse established, but to such workhouse only.

Slaves attempting to depart this island, or assisting others in such attempts, may be seized.

LXXIV And whereas, several slaves have found means to desert from their owners, and depart from this island, to the great damage of such owners, in evil example to other slaves, who may [be] thereby induced to attempt or conspire to do the same: And whereas, there is reason to suspect that such slaves have been aided and assisted in such escape and departures by other persons, and there is not any adequate punishment provided by law for such desertion or departure, or attempting or conspiring to desert and depart this island, or for persons aiding, assisting, or abetting, such deserters: For remedy whereof, **Be it enacted, by the authority aforesaid,** That, from and after the commencement of this act, if any slave shall run away from his, her, or their, owner or owners, employer or employers, and go off, or conspire or attempt to go off, this island, in any ship, boat, canoe, or other vessel or craft whatever,

whatever, or be aiding, or abetting, or assisting, to any other slave or slaves in such going off this island, he, she, or they, so running away, and going off, or conspiring or attempting to go off, or so aiding, assisting, or abetting, in such going off, being thereof convicted, shall suffer death or such other punishment as the court shall think proper to direct.

to be
death.

LXXV. And be it further enacted, by the authority aforesaid, That if any Indian, free negro, or mulatto, shall, from and after the commencement of this act, knowingly be aiding, assisting, or abetting, any slave or slaves in going off this island, and shall be convicted thereof, either in the supreme court or in other [either of] the courts of assize of this island, such Indian, free negro, or mulatto, shall be forthwith transported off this island by the provost marshal or his lawful deputy, into whose custody such person or persons shall be committed; and if such person or persons, so convicted, sentenced, and transported, shall be afterwards found at large in this island, he, she, or they, on proof of his or their identity before the said supreme court or courts of assize as aforesaid, shall suffer death without benefit of clergy.

Free people of
colour assist-
ing slaves in
going off are
to be trans-
ported,

and suffer
death if they
return.

LXXVI. And be it further enacted, by the authority aforesaid, That if any white person or persons shall knowingly be aiding, assisting, or abetting, any slave or slaves in going off this island, he, she, or they, being convicted thereof, by bill, plaint, or information, in the supreme court of judicature, or either of the courts of assize of this island, shall forfeit the sum of three hundred pounds for each slave; one moiety whereof shall be to our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to the party or parties at whose suit or complaint such person was convicted; and shall also suffer imprisonment, at the discretion of the said court, for any space of time not exceeding twelve months, without bail or mainprize.

If white peo-
ple do so, they
forfeit 300l.
for each,

and may be
imprisoned 4
year.

LXXVII. And be it further enacted, by the authority aforesaid, That it shall and may be lawful to proceed against the person or persons so aiding, assisting, or abetting, any slave or slaves in going off this island, whether the principal or principals be convicted or not, any thing in this or in any other act, law, custom, or usage to the contrary thereof notwithstanding.

Accessories
may be pro-
ceeded against
though prin-
ciples are not
convicted.

LXXVIII. And be it further enacted, by the authority aforesaid, That no negro or other slave shall be allowed to travel the public

If slaves, not
authorized, to
travel with
dogs, &c. or

hunt with instruments of death, punishment may be awarded by two justices.

public roads with dogs, or cutlasses, or other offensive weapons, without a ticket from his owner, or to hunt any cattle, horses, mares, mules, or asses, in any part of this island, with lances, guns, cutlasses, or other instruments of death, unless in the company of his or their master, overseer, or some other white person by him or them deputed, or by permission in writing; and if any negro or other slave shall offend, contrary to the true intent and meaning of this act, he, she, or they, being thereof convicted before two justices, shall suffer such punishment as they shall think proper to inflict, not extending to life, or transportation for life.

On complaint of felonies, burglaries, &c. by slaves, justice to issue a warrant.

Slaves to be evidence against each other.

Justice to commit and bind over witnesses as appear.

Justice to call in two other justices (who must attend or each forfeit 20s.) and they are to summon a jury, from such parish.

LXXIX. And whereas it is necessary to declare how and in what manner slaves shall be tried for the several crimes which they may hereafter commit: **Be it enacted, by the authority aforesaid,** That, from and after this act shall commence and be in force, upon complaint made to any justice of the peace of any murder, felony, burglary, robbery, burning or destroying of houses, out-houses, negro-houses, or cane, grass, or corn-pieces, or breaking into such houses, out-houses, or negro-houses, in the day-time, no person being therein, and stealing thereout; rebellious conspiracies, compassing or imagining the death of any white person or persons, or any other offence whatsoever, committed by any slave or slaves, that shall subject such slave or slaves to suffer death, transportation, or confinement to hard labour, such justice shall issue out his warrant for apprehending such offender or offenders, and for all persons that can give evidence, to be brought before him, or any other justice of the peace; and the evidence of slaves against one another, in this and all other cases shall be received; and if, upon examination, it appears probable that the slave or slaves apprehended is or are guilty, the justice before whom such examination shall be had and taken shall commit him, her, or them, to prison, and bind over the witnesses to appear at a certain day, not less than ten days from the day on which the complaint shall be made, and at the place where the quarter-sessions are usually held, and where there are no quarter-sessions held at the place where the parochial business is usually transacted (except in the precinct of Saint Thomas in the East and Saint David, where such trial shall take place at the place where the quarter sessions are usually held), and shall certify to two other justices of the peace the cause of such commitment, and require them, by virtue of this act to associate themselves to him, which the said justices are hereby severally required to do, under the penalty of twenty pounds for every neglect or refusal; and the said justices, so associated, shall issue out their warrant, directed to the deputy-marshal of such

such parish or precinct, to summon twenty-four persons, such as are usually warned and empannelled to serve on juries (the master, owner, or proprietor, of the slave or slaves so complained of, or the attorney, guardian, trustee, overseer, or book-keeper, of such master, owner, or proprietor, or the person prosecuting, his or her attorney, guardian, trustee, overseer, or book-keeper, always excepted), personally to be and appear before the said justices, or any three or more justices of the peace of the said parish, associated for the same purpose, at the day and place aforesaid, to be expressed in such warrant, and between the hours of eight and twelve of the clock in the forenoon, when and where the said persons so warned by the deputy-marshal as aforesaid are hereby severally required to attend, under the penalty of five pounds on each defaulter, and when and where the said justices shall cause the said slave or slaves, so complained of, to be brought before them, and thereupon twelve of the said persons, so summoned as aforesaid, shall compose a jury to try the said slave or slaves, and shall by the said justices (the charge or accusation being first read) be sworn to try the matter before them, and to give a true verdict, according to evidence; and such charge or accusation shall be deemed valid, if sufficient in substance; and if the said jurors shall, upon hearing the evidence, unanimously find the said slave or slaves guilty of the offence wherewith he, she, or they, stand charged, the said justices shall give sentence of death, without benefit of clergy, or transportation, or confinement to hard labour for life or a limited time, according to the nature of the offence, and shall cause such sentence to be carried into execution at such time and place as they shall think proper, women with child only excepted, whose execution shall be respited until a reasonable time after delivery: **Provided always,** That nothing in this act contained shall hinder or prevent the said justices, upon any such trial, where any slave or slaves shall be condemned to die, from respiting the execution of such sentence for any term not exceeding thirty days, or until the pleasure of the governor, or the person executing the functions of governor, shall be known, in case proper cause shall appear to them for so doing; and that if the jury, upon any such trial, shall apply to the said justices to suspend the execution of any sentence until the pleasure of the governor, or person executing the functions of governor, is known, the said justices shall be obliged to suspend the same for thirty days, and to report the particulars of the trial to the governor, or the person executing the functions of governor, forthwith, under the penalty of fifty pounds on each justice who sat on such trial, except in cases of trial of any slave or slaves convicted of actual rebellion, or for rebellious conspiracy, in all which

cular persons are excepted.

Jurors not attending to forefeit 5*l*.

Twelve persons to compose a jury.

If slaves convicted, justices may give sentence of death, transportation, &c.

Justices may suspend execution for thirty days, if they see cause.

and must do it on application of the jury,

except in cases of rebellion, when they may order immediate execution.

When business of quarter-sessions ended, justices to form themselves into a slave-court,

for the purpose of gaol delivery.

Not less than three justices to constitute a court for trial of slaves in certain cases.

Slaves detained under commitment for six months, and no indictment preferred against them, to be discharged by proclamation.

Where slaves are indicted for murder, if malice pre-pense do not appear, verdict of manslaughter may be returned.

which cases the said justices shall, if they think it expedient, order the sentence passed on such slave or slaves to be carried into immediate execution: **And it is hereby declared,** That at every court of quarter-sessions, held in each and every parish or precinct within this island, the justices there assembled shall and may, after the usual business of the said court shall be done, form themselves into a court, for the purpose of inquiring into, hearing, and determining, all manner of offences for which any slave or slaves are liable to be punished with death, or transportation, or confinement to hard labour, as aforesaid, and shall open the said court by proclamation, declaring the same to be a slave-court for such purpose, and shall thereupon, on the like charge in writing, and in like manner, in all other respects, as the three justices associated and met as hereinbefore mentioned are, by this act directed to proceed in the trial of slaves for such offences, proceed to try, and deliver the gaol or workhouse within the said parish or precinct of all and every slave or slaves, who shall or may then be in the custody of the marshal or keeper of the workhouse, within each and every parish or precinct, and shall further call a jury, consisting of twelve jurors, to be called and taken from the pannel returned to the said court of quarter-sessions, and shall cause them to be severally sworn, as they shall appear, to try all and every such slave or slaves as shall be brought before them, charged with any such offences as aforesaid, and a true verdict give, according to evidence, as in other cases: **Provided always,** That no less than three justices shall constitute a court for the trial of any slave or slaves, for any crime or offence that shall subject such slave or slaves to suffer death, transportation, or confinement to hard labour for life, as aforesaid: **Provided always,** That if any slave or slaves shall have been detained in custody, under commitment, for six calendar months, and no indictment shall have been preferred against him, her, or them, or person appearing to prosecute the complaint, during that time, it shall be the duty of the said justices, so associated for the purpose of holding such slave-court, to discharge such slave or slaves by proclamation, at the expiration of such six calendar months, from the time of the commitment of such slave or slaves: **And provided always,** That in any case, upon an indictment against any slave or slaves for murder, where malice pre-pense shall not be proved to the satisfaction of the jurors, such jurors shall be, and they are hereby declared to be, at liberty to return a verdict of manslaughter, if they shall think the nature of the case shall require it, and the person or persons so found guilty of manslaughter shall suffer such punishment as the court shall think fit to inflict, not extending to life, or transportation for life;

LXXX. **And**

LXXX. And be it further enacted, by the authority aforesaid, That all and every the jurors, who have been returned to serve as jurors at the quarter-sessions to be holden as aforesaid, are hereby required, under the penalty of five pounds, to be and appear at the said slave-court, so to be formed and holden, as aforesaid, and to serve as jurors thereon as they shall respectively be called; and that upon all trials of slaves under this act no peremptory challenges of any of the said jurors, or any exception to the form of the indictment, shall be allowed.

Jurors summoned for quarter-sessions must serve in slave-courts, under penalty of 5*l*.

LXXXI. And be it further enacted, That all witnesses of free condition legally warned, and who do not attend to give evidence at any trial under this act, or shew, by affidavit, a sufficient cause for his or her absence, shall be liable to a fine of ten pounds.

Penalty of 10*l*. on persons warned to attend trials, and neglecting to do so.

LXXXII. And be it further enacted, by the authority aforesaid, That all jurors serving at slave-courts, and every person or persons whose presence may be requisite at the examination of any slave or slaves, and who shall be required by warrant or summons under the hand and seal of any justice of the peace, and all and every slave and slaves, who shall be brought as witnesses, shall be protected in their persons from all mesne or judicial process whatsoever in their going to, attending at, and returning from, such examinations or trial, and that such slaves shall not be subject to be levied on.

Jurors, witnesses, &c. under this act, protected in their persons,

and slaves from being levied on.

LXXXIII. And be it further enacted, by the authority aforesaid, That a record shall be entered up of all proceedings on the trials of slaves for any crime that shall subject any slave or slaves to suffer death, transportation, or confinement to hard labour, in a book to be kept for that purpose by the clerk of the peace, or his lawful deputy, of the parish or precinct; who is hereby obliged to attend all such trials, and to record the proceedings within thirty days after such trial, under the penalty of twenty pounds for each neglect; and he shall be entitled to receive from the churchwardens of such parish the sum of five pounds, and no more, for attending each trial, entering up the record, and all other business incidental thereto: and further, that the deputy-marshal for the said parish, or some proper person acting under him, shall, under the penalty of fifty pounds, warn the jurors, and attend the trials of all slaves, and also attend at the execution of such offenders as shall be condemned to die; and that he shall be entitled to receive from the churchwardens of the said parish, for warning jurors and attending the trials of slaves at all special slave-courts, the sum of five pounds

Records to be kept by clerk of the peace, who must attend trials, and record proceedings in thirty days, under penalty of 20*l*.

His fee,

Deputy-marshals must warn jurors, and attend at such trials, under penalty of 50*l*.

Their fees,

S

pounds

pounds for each court, to be held under this act, and the further sum of five pounds for attending the execution of each offender as shall be condemned to die.

Punishment
on slaves for
giving false
evidence.

LXXXIV. And be it further enacted, by the authority aforesaid, That in case any slave or slaves shall, with evil intent, give false evidence in any trial had under this act, such slave or slaves, being thereof convicted, shall suffer the same punishment as the person or persons, on whose trial such false evidence was given, would, if convicted, have been liable to suffer.

If slaves,
against whom
warrants are
issued, are
concealed by
owners, &c.
they forfeit
100*l*.

LXXXV. And be it further enacted, by the authority aforesaid, That in future, whenever a warrant shall be granted by one or more of his majesty's justices of the peace against any slave, if the said slave cannot be immediately taken on the said warrant, the owner, possessor, attorney, guardian, or overseer, of such slave shall be served with a copy of the said warrant, and if he, she, or they, do not carry the said slave before a magistrate, to be dealt with according to law on the said warrant, and if it should be afterwards proved that the owner, possessor, attorney, guardian, or overseer, of such slave wilfully detained or concealed the said slave, he, she, or they, shall forfeit the sum of one hundred pounds.

Six days no-
tice of trial to
be given to
owners, &c.
of slaves.

LXXXVI. And be it further enacted, by the authority aforesaid, That in all trials of any slave or slaves under this act, six days' notice of such trial shall be first given to the owner, proprietor, or possessor, of such slave or slaves, his, her, or their, lawful attorney or attorneys, or other representative or representatives; any law, custom, or usage, to the contrary notwithstanding.

How such no-
tices are to be
served where
owners reside
in a different
parish or that
in which their
slaves may
have commit-
ted offences,
and are to be
made.

LXXXVII. And whereas it may some times happen that the owner, proprietor, or possessor, of a slave may reside in a different parish or precinct from that wherein such slave may have committed the offence, for which he or she is to be tried, **Be it therefore enacted,** That in such cases the clerk of the peace of the parish or precinct wherein the offence is to be tried, shall transmit the notice of such trial to the clerk of the peace of the parish or precinct, wherein the owner, proprietor, or possessor as aforesaid may reside, who shall forthwith thereupon, under the penalty of twenty pounds, deliver such notice, and a copy thereof, to one of the lawful constables of the said parish, to be by him, under the penalty of ten pounds, served on such owner, proprietor, or possessor; and the said constable is hereby required to make an affidavit of the manner in which he may have served the said notice, to be

sworn

sworn to before any justice of the peace, and shall return such notice, so sworn to, to the clerk of the peace from whom he received the same, to be by him transmitted to the clerk of the peace of the parish or precinct where the offence is to be tried in due time; for which duty the clerk of the peace of the parish, where the warrant shall be served, shall be paid the sum of one pound six shillings and eight pence, and the constable the sum of one pound six shillings and eight pence, by the acting churchwarden of the said parish.

LXXXVIII. And be it further enacted, by the authority aforesaid, That in all cases where the punishment of death is inflicted, the execution shall be performed in a public part of the parish, and with due solemnity; and care shall be taken by the gaoler or deputy-marshal that the criminal is free from intoxication at the time of his trial, and from thence to and at the time of his execution, under the penalty of twenty pounds; and the mode of such execution shall be hanging by the neck, and no other, and the body shall be afterwards disposed of as the court shall direct.

Executions must be public and solemn.

LXXXIX. And be it further enacted, by the authority aforesaid, That in all cases, where any slave or slaves shall be put upon his, her, or their, trial, and receive sentence of death, or transportation, or commitment to hard labour for life, the court, at the time of trying such slave or slaves, shall also enquire of the jury, upon their oaths, what sum or sums of money the owner, proprietor, or possessor, of the said slave or slaves ought to receive for such slave or slaves, and certify the same, so that such sum or sums of money do not exceed the sum of one hundred pounds for each slave so sentenced as aforesaid; and, if the conviction be for running away, the value to be set by the jury shall not exceed fifty pounds.

Slaves sentenced to be executed or transported to be valued by the jury.

XC. And be it further enacted, by the authority aforesaid, That in all cases where any slave or slaves shall be brought to trial, and sentenced to death or transportation, and valued according to the directions of this act, the provost-marshal or his lawful deputy shall, under the penalty of two hundred pounds, carry such sentence into execution as soon after the passing thereof as an opportunity shall offer; and in case of sentence to transportation, shall forthwith sell such slave or slaves for transportation to the best advantage in his power; and shall, under the penalty of two hundred pounds, within the space of one month from the time of such sale, render to the owner, proprietor, or possessor, of such slave, or other person legally entitled to receive the same, a just and true

Provost-marshal must execute sentences without delay under penalty of 200*l*.

and render account of net proceeds of sales, on back of certificate of valuation.

If charges amount to or exceed sale, receiver-general to pay the whole.

account, upon oath, of the sale or sales of such slave or slaves, and of the legal charges attending the same, and pay over to such owner, proprietor, or possessor, or other person legally entitled to receive the same, the proceeds of such sale or sales, after deducting all legal charges, as aforesaid; and if it shall happen that the charges due to the provost-marshal or his legal deputy, for confinement and subsistence of said slave or slaves, shall amount to or exceed the amount of the sales, the same shall be sworn to by the said provost-marshal, or his lawful deputy, on the back of the certificate of valuation, in which case the receiver-general shall pay the whole amount of such valuation.

Valuation of slaves sentenced to death, &c. under this act, to be paid by receiver-general.

XCI. And be it further enacted, by the authority aforesaid, That in all cases, where any slave or slaves shall be sentenced to death or confinement to hard labour for life, and be valued according to this act, such slave or slaves shall be paid for by the receiver-general of this island, out of any monies in his hands, upon production of a legal certificate of such sentence and valuation, but not otherwise; and in all cases, where any slave or slaves shall be sentenced to transportation, and valued in manner aforesaid, the receiver-general shall, in like manner, upon production of a like certificate, together with the account upon oath, hereinbefore directed to be made by the provost-marshal or his lawful deputy, but not otherwise, pay the amount of the valuation of such slave or slaves, after deducting the amount of such account.

Purchasers of slaves sentenced to transportation, to give bond in 500l. penalty to transport them in thirty days.

XCI. And be it further enacted, by the authority aforesaid, That every slave who, under the authority and by virtue of this act, shall be sold for transportation by the provost-marshal or his lawful deputy, shall, notwithstanding such sale, remain in the custody of the said provost-marshal, or his said deputy, until the purchaser of such slave shall have entered into bond, with sufficient security, to our sovereign lord the king, under the penalty of five hundred pounds for every such slave, so purchased, that every such slave shall be transported off this island within thirty days after the date of such bond, and shall in the mean time be kept in close confinement on board the ship or vessel in which such slave is intended to be transported; which bond shall be taken by the said provost-marshal, or his lawful deputy as aforesaid (for which the provost-marshal, or his said deputy, shall receive from the party entering into the same all expences incidental thereto), and be filed among the records in the office of the clerk of the peace of the parish or precinct where such slave was tried.

Bond to be lodged in clerk of peace's office.

XCIII. And

XCIII. And be it further enacted, by the authority aforesaid, That every such purchaser of any slave, so directed to be sold for transportation, as aforesaid, shall, at the time of executing such bond, as aforesaid, also make oath, in writing, on some part of the said bond, before the provost-marshal, or his lawful deputy, as aforesaid, (either of whom is hereby authorised and required to administer the same), that every such slave, so purchased by him, shall be transported to (death or danger of the seas excepted), and that the said slave, so purchased, shall not, with his knowledge, privity, or consent, be re-landed in this island.

Purchasers to make oath that slaves shall be transported, and that they shall not be re-landed.

XCIV. And be it further enacted, by the authority aforesaid, That the provost-marshal, or any of his deputies, shall not, under the penalty of three hundred pounds for each offence, deliver over to any purchaser or purchasers, any slave, so sold for transportation, as aforesaid, until such bond is entered into, and oath taken; as aforesaid; and in case any such slave, so sold for transportation, as aforesaid, shall be found within this island after the expiration, of the thirty days before limited for his or her transportation, such slave shall become forfeited to the crown, and be re-sold for transportation by the provost-marshal or his lawful deputy, in the same manner, and under the like penalties, as are hereinbefore enacted, and the net proceeds of such re-sale shall be paid over to the receiver-general, for the use of the public.

No slave to be delivered until bond taken and oath made, under penalty.

Slaves returning from transportation to be re-sold for transportation.

XCV. And be it further enacted, by the authority aforesaid, That every slave sold for transportation, under and by virtue of this act, who shall be found at large within this island, at any time after such sale as is hereinbefore directed, may and shall be lawfully apprehended by any person whomsoever, and immediately taken before any of his majesty's justices of the peace, and if it shall appear, to the satisfaction of such justice, that such slave has been formerly sold for transportation, by virtue of this act, such justice shall, by warrant under his hand and seal, direct such slave to be delivered to the provost-marshal or his lawful deputy, to be re-sold for transportation only; and the monies arising from such sale, after deducting a commission of five pounds *per centum*, and all necessary expences, shall be paid over, one moiety thereof to the person apprehending such slave, and the other moiety to the receiver-general for the time being, for the support of the government of this island.

Such slaves going at large may be apprehended by any person, and on due proof re-sold.

Appropriation of the money.

XCVI. And be it further enacted, by the authority aforesaid, That if any negro or other slave, who shall have been transported from

from

If slaves re-
turn from
transportation
for murder,
&c. they are
to suffer death.

from this island under the direction of this act, or of any other act heretofore in force respecting slaves, for murder, rebellion, or being engaged in a rebellious conspiracy, or obeah, or arson, shall wilfully return from transportation, such negro or other slave shall, upon conviction, suffer death without benefit of clergy.

Masters of
vessels, wilful-
ly bringing
back trans-
ported slaves,
to forfeit 300*l*.
for each, and
suffer impris-
onment at
the discretion
of the court.

XCVII. And be it further enacted, by the authority aforesaid, That if the master of any ship or vessel shall knowingly and wilfully bring back to this island any negro or other slave, who shall have been transported from this island under and by virtue of this act, or any other act heretofore in force respecting slaves, such master, being convicted thereof by bill, plaint, or information, in the supreme court of judicature, or either of the courts of assize of this island, shall forfeit the sum of three hundred pounds for each slave so brought back; one moiety whereof shall be to our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to the party or parties at whose suit or complaint such person was convicted, and shall also suffer imprisonment, at the discretion of the court, for any space of time not less than three nor exceeding twelve months, without bail or mainprize.

Slaves sen-
tenced to con-
finement in
workhouse for
two years, es-
caping, may
be ordered
fifty lashes
and re-com-
mitted,

XCVIII. And be it further enacted, by the authority aforesaid, That if any negro or other slave, who may be sentenced to be confined in the workhouse for the term of two years, or a less time, shall escape from such confinement before the expiration of his sentence, such negro or other slave, being retaken, shall, on proof of his or her identity before two justices of the peace, be adjudged by them to be sent back to confinement, to complete the term for which he or she was sentenced to confinement, and to receive a whipping, not exceeding fifty lashes.

and those sen-
tenced for life,
escaping, may
be transport-
ed.

XCIX. And be it further enacted, by the authority aforesaid, That if any negro or other slave, who may be sentenced to be confined to hard labour for life in any workhouse, shall escape therefrom, every such negro or other slave, being retaken, shall, on proof of his or her identity before two magistrates, be adjudged by them either to be recommitted to his or her former punishment, or to be transported off this island for life.

If marshal,
constable, &c.

C. And be it further enacted, by the authority aforesaid, That if the provost-marshal, or any of his lawful deputies, or any lawful constable or workhouse keeper, shall willingly or negligently suffer any

any slave or slaves to escape, who shall be committed to his or their custody for any offence under this act, such marshal, constable, or workhouse-keeper, who shall suffer such escape, shall, on conviction thereof before two magistrates, forfeit the sum of fifty pounds, to be recovered in a summary manner, by warrant under the hands and seals of the said two magistrates, for the use of the parish, and without injury to the rights of the owner to sue for the value of the same.

suffer them to escape, they forfeit 50*l*. and may be sued for their value.

CI. And be it further enacted, That when any slave or slaves shall be discharged by proclamation, the deputy-marshal or workhouse-keeper shall be entitled to receive all such fees, as shall be due to him or them for such slave or slaves, at the time of such discharge, from the public, upon application and due proof made in the most solemn manner to the assembly, or any committee thereof, that such slave or slaves, during the time they were in the custody of such deputy-marshal or workhouse-keeper, was or were found and provided with proper and sufficient provisions and necessary clothing, agreeably to this law.

Fees of slaves discharged by proclamation to be paid by the public, proof being given that they were properly maintained.

CII. And be it further enacted, by the authority aforesaid, That no gaol-keeper in this island, or any person acting under him as clerk or deputy, shall, on any pretence whatsoever, work or employ any slave or slaves sent to his custody, upon any plantation, pen, or settlement, belonging to, or in the possession of, any such gaol-keeper, nor hire or lend such slave or slaves out to work for any other person or persons, during the time such slave or slaves shall be in his custody, but that all such slaves shall be and remain in the common gaol of the county, parish, or precinct, in order to be inspected by any person or persons desiring the same; and in case any gaol-keeper shall offend herein, he shall, for every offence, forfeit the sum of fifty pounds.

Gaol-keepers not to work out slaves sent to them for confinement under penalty of 50*l*.

CIII. And whereas there are many inferior crimes and misdemeanors committed by slaves, which ought to be punished in a summary manner before two magistrates, Be it therefore enacted, by the authority aforesaid, That all misdemeanors and inferior crimes committed by any slave or slaves, not hereinbefore mentioned and directed in what manner they are to be tried, shall be tried in a summary manner before two or more justices of the peace of the parish or precinct, where the offence shall be committed, reasonable notice of the time and place of such trial being given to the owner, proprietor, or possessor, of such slave or slaves, or his, her, or their, attorney or attorneys, or the person or persons

Two justices may inquire into inferior crimes, giving notice to owners, &c. of slaves, and order punishment.

sons having the care of such slave or slaves; and the said justices of the peace shall, on conviction of such slave or slaves, order and direct such punishment to be inflicted as they shall think proper, not exceeding fifty lashes, or six months' imprisonment to hard labour.

Clerks of
peace to at-
tend such sum-
mary trials,
under penalty
of 50*l.* for
which they are
to be paid 1*l.*
ss. 8*d.*

Fee to constable.

CIV. And be it further enacted, That the clerk of the peace, for attending such summary trial, and making out the order of the magistrates thereat, which he is hereby bound to do, under the penalty of fifty pounds, shall be entitled to receive from the churchwardens of the parish, the sum of one pound six shillings and eight pence; and the constable, for attending at the trial and at the execution of the order of the magistrates thereon, shall receive the sum of ten shillings, except in the city of Kingston, where the fees to the clerk of the peace shall be thirteen shillings and four pence, and to the constable five shillings, in consequence of the great number of such trials in that city.

Justices to enforce this act as well during martial law as at other times

CV. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the justices aforesaid, and they are hereby required, to do their several and respective duties under this act when martial law shall happen to be in force, as they might or ought to have done if martial law were not subsisting; any law, custom, or usage, to the contrary in anywise notwithstanding.

Recovery and Application of penalties not before disposed of.

Proceedings to be commenced within twelve months.

CVI. And be it further enacted, by the authority aforesaid, That all penalties in this act mentioned, and not already declared how they shall be recovered and applied, shall, if not exceeding fifty pounds, be recovered in a summary manner before any two of his majesty's justices of the peace, by distress and sale of the offender's goods and chattels, and, if amounting to or exceeding fifty pounds, to be recovered in the supreme court of judicature, or in either of the courts of assize, by action of debt, bill, plaint, or information, wherein no *essoin*, protection, or wager of law, or *non vult ulterius prosequi*, shall be entered; one moiety of which penalties shall be paid to the churchwardens, for the use of the parish where the offence shall be committed, and the other moiety to the informer, or him, her, or them, who shall sue for the same: **Provided always**, That all proceedings, for the recovery of penalties under this act, shall be instituted within twelve months after the offence be committed.

CVII. And be it further enacted, by the authority aforesaid, That all crimes committed by slaves during the time the act entitled,

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recited, An act for the protection, subsisting, clothing, and for the better order and government of slaves, and for other purposes, passed in the year one thousand eight hundred and nine, was in force, shall be heard, tried, and determined, and such slave punished, in the manner directed by the said act, and as if the same were now in full force, and for which purpose only the said recited act shall be considered as still in force.

Offences committed under former act may be heard, tried, &c. as if it were still in force.

CVIII. And be it further enacted, by the authority aforesaid, That this act shall commence, continue, and be in force, from the thirty-first day of December in the present year. (1816.)

Commencement of this act.

ANNO 58^o GEORGE III. CAP. 15.

Enacts, Clause 6.—“ That if any person whatsoever, not acting by or under the authority in writing of the governor or person officiating as such, shall, after the passing of this act, sell or barter, or, with an evil intent, shall give, lend, or otherwise dispose of, to, or offer or attempt to furnish, sell, or barter, or suffer to be taken or carried away by, any maroon, negro slave, or other slave, under any pretence whatsoever, any gunpowder, gun or guns, pistol or pistols, or other fire-arms of any description, or shall make or repair any such gun or guns, pistol or pistols, or other fire-arms, for or belonging to any maroon, negro or other slave, or for their use, every such person or persons, so offending, shall be guilty of felony, without benefit of clergy.”

If powder or fire-arms be sold or given &c. with evil intent, to slaves or maroons, it is to be deemed felony.

CAP. 23.

Enacts, Clause 1.—“ That, from and after the passing of this act, the owner, manager, or overseer, of any property, who shall omit to inform the coroner of the parish wherein such property is situate, or, in the absence from home or sickness of such coroner, any justice of the peace of such parish, of the death of any slave or other person who may suddenly die, or be slain, drowned, wounded, or poisoned, or may die by any cause or in any manner otherwise than according to the common course of nature, on such property, shall be indicted as and for a misdemeanor, and, on conviction thereof in the supreme or assize court, shall be subject to such punishment by fine or imprisonment, or both, as the court may award: **Provided,** That such fine shall not exceed the sum of five hundred pounds current money of this island, and such imprisonment shall not exceed the space of six months.”

Owner, &c. of property, omitting to inform the coroner of the parish, &c. of the sudden death of any slave or other person, to be indicted in the supreme or assize court, and how punishable.

Provided.

Clause 2.—“ That the supervisor of every workhouse, and the keeper of every gaol, who shall omit to inform the coroner of the parish

Supervisors of workhouses and gaol-keepers

are subjected
to the same
punishment,
in case of ne-
glect.

parish wherein such workhouse or gaol is situate, or, in the absence from home or sickness of such coroner, a justice of the peace of such parish, of the death of any slave or other person who may die in such workhouse or gaol, by any cause, or in any manner whatsoever, shall be subject to such prosecution and punishment as is hereinbefore mentioned."

Persons dying
suddenly not
to be removed
or buried with-
in a certain
time, but by
the direction
of coroner, &c.

Clause 3.—"That no body of any slave or other person, which may suddenly die, or be slain, drowned, wounded, or poisoned, or die by any cause or in any manner otherwise than according to the common course of nature, shall be buried or removed in less than twenty four hours after such body shall have been found dead, unless it shall be ordered so to be by the coroner for the parish, or justice of the peace acting in the absence of such coroner; and any person or persons burying or removing any such body, without its being so ordered, shall be subject to such prosecution and punishment as is hereinbefore mentioned: ~~Provided nevertheless~~, That no body of any slave or other person, who may die by any sort of death in any place of confinement, other than a workhouse or gaol, shall be buried or removed until an inquest be held thereon, and any person or persons, burying or removing such body as afore-said, shall be subject to such prosecution and punishment as is hereinbefore mentioned."

Proviso.

Information of
slaves as to bo-
dies being
found dead,
&c. to be
sufficient.

Clause 4.—"That notice from any slave shall be deemed and taken to be sufficient to ground an inquiry, and such coroner shall forthwith proceed to hold an inquest in the regular way, and, in case of omission or neglect, shall be subject to such prosecution and punishment as is hereinbefore mentioned."

Master, &c.
of any slave
found dead,
not to be a ju-
ror on the in-
quest.

Clause 5.—"That no master or owner of any slave, or any attorney to such master or owner, or any servant to such master, owner, or attorney, shall be a juror at the inquest held on the body of such slave; and any coroner, who shall knowingly permit such master, owner, or attorney, or servant to such master, owner, or attorney, to be a juror on such inquest, shall incur the penalty of one hundred pounds."

Justice of the
peace to hold
inquest on the
bodies of slaves
belonging to
parishes.

Clause 6.—"That whenever it may be necessary to hold an inquest on the body of any slave, the property of any coroner, a justice of the peace shall be called upon to act in all respects as the coroner should have done."

Coroner to re-

Clause 7.—"That no coroner shall receive any fee or mile-money unless he shall have held personally an inquest on the body for which

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which such fee or mile-money is charged, and unless he shews to the magistrates and vestry the inquisition, signed by all the jurors forming such inquest, that the body, on which such inquest was held, was a fit subject for an inquest, and that the coroner himself held the same personally, and every magistrate and vestryman, consenting to pay such coroner, without his producing such inquisition, is hereby made subject to the penalty of one hundred pounds."

ceive no fee or mile-money unless they perform the duties themselves.

Clause 8.—"That, whenever any coroner cannot collect that number, (*twelve*) he shall annex to the proceedings an affidavit of his having used his best endeavours to obtain a full jury, but could procure the number only named in the inquisition."

How coroners are to act in case twelve men cannot be procured to form a jury.

Clause 9.—"That nothing herein contained shall be construed to alter, vary, or annul, any of the acts of this island, or the laws of England, respecting coroners and their duties, or any proceedings against them, or touching their office, save and except as such acts and laws, or any parts thereof, may be varied or altered by this act, but the same shall be and continue as heretofore in full force."

This act not to alter, &c. the laws of this island or England respecting coroners and their duties, but in certain respects.

Clause 10.—"That all penalties by this act imposed shall be recovered in the supreme court of judicature, by action of debt, bill, plaint, or information, except the offence shall be committed in the counties of Surrey or Cornwall, in which case the action, information, or proceeding, shall originate in the supreme court, but sent for trial to the county where the offence was committed, and when such penalty shall be recovered, it shall be applied, one half to the use of the government of this island, and the other half to the informer or prosecutor, who shall also be entitled to have his full costs out of purse repaid him by the offender, under order and process of the supreme court."

How penalties imposed by this act are to be recovered and applied.

CAP. 24.

Enacts, Clause 1.—"Whereas doubts have been entertained whether under the one hundred and seventh section of the act, passed last year, entitled *An act for the subsistence, clothing, and the better regulation and government of slaves; for enlarging the powers of the council of protection; for preventing the improper transfer of slaves, and for other purposes*, any person or persons other than slaves can be tried and punished for any offence committed during a former act, which is thereby repealed: To obviate such doubts, **May it therefore please your majesty** that it may be enacted and declared, and it is hereby enacted and declared by your majesty's

Preamble.

57 Geo. III. cap. 25.

T2

Dutiful

Crimes committed by all and every person, while the slave act of 50 Geo. III. cap. 16, was in force, made punishable by this act, notwithstanding the construction of cl. 107 of the first above recited act.

Butiful and loyal subjects, the governor, council, and assembly, of this your island of Jamaica, That, notwithstanding any other construction of the said clause, or any thing in the said recited act to the contrary, it shall and may be lawful at any time to proceed against and try all and every person and persons whomsoever for any and every crime or offence against the act thereby repealed, entitled, *An act for the protection, subsisting, clothing, and for the better order and government of slaves, and for other purposes*, committed during the time the said act was in force, and before the repeal thereof, and, upon conviction, to punish the offender or offenders; and to enforce, recover, and apply, all penalties incurred thereunder as fully and effectually as if the said act were still in force and unrepealed."

ANNO 59th GEORGE III. CAP. 13.

Slaves not to be distrained on for rum duties.

Enacts, Clause 30.—"That, in distrains for rum duties, it shall not be lawful to distrain on any slave, when any other distress can or may be had."

Slaves selling rum, without permission of master, &c. to be punished.

Clause 31.—"That if any negro or other slave shall be convicted before any one of his majesty's justices of the peace, of selling or delivering rum to any negro or other slave, or to any person or persons whomsoever, unless in the presence or by the order of the master or possessor of such negro or other slave, or his or her attorney, factor, overseer, or agent, or in the dwelling-house or overseer's house of such person or persons, such negro or other slave shall be punished, by the order and direction of such justice, by a public whipping, not exceeding thirty-nine lashes."

CAP. 18.

Additional stipend allowed to the curates.

Enacts, Clause 1.—"That every curate now or hereafter to be appointed in any parish, pursuant to an act of the legislature of this island, passed in the fifty-seventh year of your majesty's reign, chapter twenty-four, shall be, and he is hereby, allowed, in addition to any former stipend, the yearly sum of two hundred pounds, to be paid by the receiver-general, by quarterly payments, on the production of a certificate from the justices and vestry of the parish, of the curate having performed the duties required of him by the said act, such sum to be in lieu of, and to enable such curate to provide himself with, a place of residence and servants, and to commence from the day of his producing his appointment to the magistrates and vestry, or to the churchwardens, of such parish."

APPENDIX

APPENDIX,

CONTAINING AN ABSTRACT OF ACTS OF PARLIAMENT RELATING TO
THE ABOLITION OF THE SLAVE TRADE.

ANNO 46^o GEORGIÆ III. CAP. 52.

STATUTE, *Clause 1.*—That ~~whereas~~ his majesty, by his order in council, bearing date the fifteenth day of August, one thousand eight hundred and five, was pleased to order, "That it should not be lawful, except by special licence, as therein mentioned, for any slave or slaves to be landed upon any of the coasts, or imported or brought into any of the ports, harbours, creeks, or roads, or within the limits, jurisdictions, and territories, of any of the settlements, islands, colonies, or plantations, on the continent of America, or in the West-Indies, which have been surrendered to his majesty's arms during the present war, until further order, upon pain that all slaves so landed or brought contrary to the true intent and meaning of that order, together with the vessels bringing in the same, or from which the same should be landed, and their cargoes, should become forfeited to his majesty, his heirs and successors; but the said order recited, that it might be expedient to permit the annual introduction of a limited number of slaves under due regulations, for the purpose of supplying any waste that should take place in the population on particular estates, from extraordinary or unavoidable causes, and thereby of keeping up the cultivation of the lands already cleared and cultivated; and it was therefore further ordered, that any number of slaves, not exceeding three for every hundred of the whole number of slaves in the said settlements, islands, colonies, and plantations respectively (returns whereof were to be made from time to time, in pursuance of instructions to be transmitted by one of his majesty's principal secretaries of state), might be imported in each year (provided casualties to that extent should appear to have taken place in the preceding year), under licences to be previously granted by the governor, lieutenant-governor, or officer administering the government of the said settlements, islands, colonies, and plantations, from any other of his majesty's colonies in the West-Indies, into the said settlements, islands, colonies, and plantations; such licence, or a
copy

Recital of order in council, dated Aug. 15, 1805, for prohibiting the importation of slaves into American colonies surrendered to his majesty in the present war, except under special licences.

copy thereof, to be produced by the master of the ship on which such slaves are laden, as his authority for having slaves on board destined to the said settlement, islands, colonies, and plantations; **Provided always**, That until the first day of January, one thousand eight hundred and seven, such limited importation might be made from other places than his majesty's colonies in the West-Indies, as aforesaid, and without its being necessary for the master of the vessel, if met with at sea, to produce the said licence, or a copy thereof, as his authority for having the slaves destined as aforesaid on board, but subject nevertheless to such licence being first had and obtained, as aforesaid; before any slaves should be permitted to be landed or sold from such vessel in any of the said settlements: And, after further reciting that special instructions would be immediately transmitted by one of his majesty's principal secretaries of state to the governors, lieutenant-governors, or officers administering the government of the said colonies, settlements, and plantations respectively, containing the regulations proper for carrying that order into effectual execution, directing and empowering them to grant licences for the importation of such limited number of slaves as aforesaid, subject to such regulations as in the said instructions would be provided, it was thereby declared to be his majesty's further order, that such governor, lieutenant-governor, or other officer, as aforesaid, should be, and they thereby were, respectively authorized and empowered to grant such licences, upon such terms and conditions, and subject to such regulations, as, in conformity to and in furtherance of the object of such instructions, might from time to time be required: **And it was there- by further ordered**, that the prohibition therein before contained should not extend to prevent the importing or landing of any slaves which should be imported into the said colonies, islands, and plantations, by licence first had for importing the same, under the hand and seal of his majesty's governor, or lieutenant-governor, or officer administering the government of the colony, settlements, or plantations, into which the said slaves are to be imported, specifying the ship or vessel permitted to import the same, in conformity with the instructions to be received from one of his majesty's principal secretaries of state, as aforesaid, but that all slaves, except such slaves as may form part of the crew of any vessels, or may be household servants to the passengers therein, which should be landed without such licence, as aforesaid, and without conforming to such regulations as should be contained therein, should, together with the vessels bringing the same, or from which the same should be landed; and their cargoes, become forfeited to his majesty, his heirs and successors; and in case any vessel should contain more
slaves

slaves than the number permitted to be imported in such vessel by
 any such licence or licences, such number of the most valuable of
 the slaves on board such vessel (other than such slaves as might
 form part of the crew of such vessel, or might be household ser-
 vants to the passengers) as should be equal to the excess beyond
 the number mentioned in such licence or licences, should be for-
 feited to his majesty, his heirs and successors, and should be se-
 lected and disposed of in such manner as might be in that behalf
 directed by any instructions from one of his majesty's principal se-
 cretaries of state, to be given to the respective governors, lieute-
 nant-governors, or other officers administering the government of
 such colonies, settlements, and plantations, as aforesaid: **And it**
was thereby further ordered and provided, that nothing therein
 contained should be extended or construed to extend to the landing,
 importing, or bringing in, of any slave or slaves from or by any
 vessel, which, by stress of weather, or by any other peril, should
 be driven on the coast of any such colonies, settlements, or plan-
 tations, or compelled to take refuge on such coast, or within the
 creeks and harbours of such colonies, settlements, or plantations,
 provided the slave or slaves which should be so imported, landed,
 or brought in as last aforesaid, should be exported to some place
 or places, other than any of the colonies, settlements, or planta-
 tions, to which the said order applied, within ten days from the im-
 portation, landing, or bringing in of the same, unless further detained
 by stress of weather, or provided the same should within such ten
 days be sold under the special licence of the governor, lieutenant-go-
 vernor, or officer administering the government of the colony, settle-
 ment, or plantation, where such slaves might be, to such person or
 persons as under the circumstances of his, her, or their, cases
 (which circumstance should be inserted in such special licence)
 might at the date thereof be entitled to obtain a licence or licences
 to import such number of slaves as he, she, or they, should in and
 by such special licence or licences be permitted to purchase: **And**
it was thereby further ordered and declared, That one third of
 every forfeiture which should accrue in consequence of that order
 to his majesty, his heirs and successors, should be granted to the
 governor, lieutenant-governor, or officer administering the govern-
 ment of the colony, and one third to the party who should inform
 and prosecute the same: **And whereas** it is expedient that the pro-
 hibition contained in the said order of council should be enforced
 and rendered more effectual by such auxiliary regulations and re-
 medies as the authority of his majesty in council was insufficient
 to provide; **May it therefore please your majesty that it may be**
enacted; And be it enacted by the king's most excellent majesty
 by

From Jan. 1, 1807, no slaves (except in cases after mentioned (see s. 13.) shall be exported from his majesty's dominions to foreign colonies or territories.

Penalty: Forfeiture of slaves and ships.

by and with the advice and consent of the lords spiritual and temporal, and commons, in this present parliament assembled, and by the authority of the same, That, from and after the first day of January one thousand eight hundred and seven, it shall not be lawful to export, transport, carry, convey, or send any slave or slaves (except in such special cases as are herein-after excepted) from any part of his majesty's dominions to any island, settlement, colony, plantation, territory, or place whatever, belonging to and under the dominion of any foreign sovereign, state, or power, the provisions of certain acts of parliament made for establishing certain free ports in the West-Indies, or any other statute, law, or usage to the contrary notwithstanding; and if any slave or slaves shall, from and after the day aforesaid, be so unlawfully exported, transported, carried, conveyed, or sent, or shall be embarked, put on board, or transhipped at or from any part of his majesty's dominions, with intent to be so unlawfully exported, transported, carried, conveyed, or sent, all and every such slave or slaves, together with every ship or vessel in which the same shall be so exported, transported, carried, conveyed, sent, embarked, put on board, or transhipped, together with all her boats, guns, tackle, apparel, and furniture, shall be forfeited, and shall and may be seized and prosecuted as herein-after is mentioned and provided."

British subjects resident in his majesty's dominions, shall not convey or be concerned in conveying slaves from Africa or elsewhere (except from the West-India islands in certain cases. See s. 13.) to foreign colonies or territories.

Clause 2.—" That, from and after the said first day of January one thousand eight hundred and seven, it shall not be lawful to or for any of his majesty's subjects, or any person or persons resident within this united kingdom, or any of the islands, colonies, dominions, or territories thereto belonging, to export, transport, carry, convey, or send, or cause or procure to be exported, transported, carried, conveyed, or sent, or in any manner to aid, abet, or assist in the exporting, transporting, carrying, conveying, or sending any slave or slaves from Africa or elsewhere (except from his majesty's West-India islands, in such special cases as are herein-after expressly excepted and provided for) to any island, settlement, colony, plantation, territory, or place whatever, belonging to and under the dominion of any foreign sovereign, state, or power, or to ship, embark, tranship, or put on board, or cause or procure to be embarked, shipped, transhipped, or put on board, or to aid, abet, or assist, in the embarking, shipping, transhipping, or putting on board any ship or vessel whatever, at Africa or elsewhere, any slave or slaves (except as aforesaid) with the intent to the exporting, transporting, carrying, conveying or sending the same to any such foreign island, settlement, colony, plantation, or territory or place: And if any slave or slaves shall be so unlawfully exported, transported,

transported, carried, conveyed, or sent or embarked, shipped, transhipped, or put on board, with such unlawful intent as aforesaid, all and every such slave or slaves, and every ship or vessel in which the same shall be so unlawfully exported, transported, carried, conveyed, or sent, or embarked, shipped, transhipped, or put on board, together with all her boats, guns, tackle, apparel, and furniture, so far as any of his majesty's subjects, or any person or persons resident as aforesaid, have or hath any property, share or interest, therein, shall become forfeited, and shall and may be seized and prosecuted as herein-after is mentioned and provided."

Penalty.
Forfeiture of
slaves and
ships.

Clause 3.—"That if any slave or slaves shall be landed upon any of the coasts, or imported or brought into any of the ports, harbours, creeks, or roads, or within the limits, jurisdictions, and territories, of any of the settlements, islands, colonies, or plantations, on the continent of America, or in the West Indies, which have been surrendered to his majesty's arms during the present war, without such special licence for landing, importing, and bringing the same, as in and by the said order in council is mentioned, having been previously obtained, contrary to the prohibitions contained in the said order, all and every such slave or slaves, together with the ship or vessel by or from which the same shall be so landed, imported, or brought, and all her boats, guns, tackle, apparel, and furniture, shall become forfeited, and shall and may be seized, forfeited, and prosecuted, as herein-after is mentioned and provided."

Slaves import-
ed contrary
to order in
council, into
any settlement
in America,
&c. surren-
dered to his
majesty in the
present war,
shall be for-
feited; with
the ships.

Clause 4.—"That if any slave or slaves shall be exported from or embarked, shipped, transhipped, or taken on board any ship or vessel whatever, at any island, settlement, colony, plantation, or territory, under the dominion of his majesty, his heirs or successors, or shall be exported from or embarked, shipped, transhipped, or taken on board at Africa, or on the coast thereof, or elsewhere, in any British ship or vessel, or any ship or vessel owned or employed in whole or in part by any of his majesty's subjects, or for or on account of any of his majesty's subjects, in order and with intent to be transported, carried, or conveyed, to any or either of the said settlements, islands, colonies, or plantations on the continent of America, or in the West Indies, which have been surrendered to his majesty's arms during the present war, and to be there imported or landed, without such special license as aforesaid, contrary to the said order in council, all and every such slave and slaves, together with every ship or vessel in or by which the same shall be so exported, embarked, shipped, transhipped, or taken

Slaves export-
ed from or
taken on
board at Bri-
tish ports, or
in British
ships or on
British ac-
count, in Afri-
ca or else-
where, with
intent to be
imported into
any such sur-
rendered set-
tlement, &c.
shall be for-
feited; with
the ships.

His majesty
may revoke or
alter order in
council.

on board, and all her boats, guns, tackle, apparel, and furniture, shall become forfeited, and shall and may be seized and prosecuted as herein-after is mentioned and provided: ~~Provided~~ always, That nothing in this act, contained shall extend or be construed to extend to prevent his majesty, his heirs and successors, from revoking, annulling, varying, or altering, the said order in council, or any of the regulations or instructions in regard to special licences therein contained, mentioned, or referred to, as to his royal wisdom shall from time to time, during the continuance of the present war, seem meet "

Penalty for
exporting or
importing
slaves con-
trary to the
prohibitions
of this act or
order in coun-
cil \$50. per
slave.

Exception for
stress of wea-
ther; peril of
the sea;

and as to
slaves trans-
ported as con-
victs to foreign
countries.

Clause 5.—" That if any of his majesty's subjects, or any person or persons resident within this united kingdom, or any of the islands, colonies, dominions, or territories belonging to, or in the possession of, his majesty, his heirs or successors, shall unlawfully land, import, send, transport, carry, convey, embark, ship, tranship, or put or take on board, or cause or procure to be landed, imported, exported, sent, transported, carried, conveyed, embarked, shipped, transhipped, or put or taken on board, or shall be aiding, abetting, or assisting in the landing, importing, exporting, sending, transporting, carrying, conveying, embarking, shipping, transshipping, or putting or taking on board any slave or slaves, contrary to any of the prohibitions in the said order in council, or in this act contained, every such person or persons, so offending, shall respectively forfeit and pay for each and every slave so unlawfully landed, imported, exported, sent, transported, carried, conveyed, embarked, shipped, transhipped, or put or taken on board, the sum of fifty pounds lawful money of Great Britain: ~~Provided~~ always, That no penalty or forfeiture shall be incurred by any landing or importing, or transshipping or carrying off any slave or slaves, contrary to the said order in council, or to this act, when it shall be clearly proved to the satisfaction of the court, before which any such forfeiture, or any suit for any such penalty shall be prosecuted, that the prohibited act entirely arose from stress of weather, peril of the sea, or other inevitable accident, the burden of which proof shall in all cases lie on the claimant or defendant: ~~Provided~~ also, That nothing in this act shall extend to prevent the transportation to any foreign colony or place of any slave or slaves that shall have been convicted by due course of law, in any British island or colony, of any crime to which the punishment of transportation is or shall be annexed by the law of such island or colony; but in every such case a copy of the judgment or sentence, certified by the court before which the offender was convicted, shall be put on board in the ship or vessel in which any such convict shall be transported."

Clause

Clause 6.—“ That, from and after the said first day of January one thousand eight hundred and seven, it shall not be lawful to or for any of his majesty's subjects, or to or for any person or persons resident in this united kingdom, or in any of the colonies, territories, or dominions thereto belonging, to invest or employ any sum or sums of money, or any ship or vessel, goods or effects, to him or them belonging, in trading in or carrying slaves from Africa or elsewhere, to any settlement, island, colony, plantation, territory, or place belonging to and under the dominion of any foreign sovereign, state, or power, or to any of the said settlements, islands, colonies, or plantations, which have been surrendered to his majesty's arms during the present war (except such limited and licensed trade to the latter as is by the said order in council, and by this present act allowed) or knowingly or wilfully to lend or advance any sum or sums of money, or to become security in any manner for the loan or advance of any sum or sums of money, goods or effects, for the purpose of being employed or used in any such trade or carriage of slaves; except as aforesaid, or to become guarantee or security for any factor or agent to be employed in the sale of slaves in or for the use or supply of any such foreign settlement, island, colony, plantation, territory, or place, or (except such limited and licensed trade as aforesaid) in or for the use or supply of any of the said settlements, islands, colonies, or plantations, which have been surrendered to his majesty's arms during the present war, or otherwise to engage as a partner, factor, agent, or otherwise, directly or indirectly, in the supplying with slaves any such foreign island, colony, territory, or place, or any of the said settlements, islands, colonies, or plantations, which have been surrendered to his majesty's arms during the present war, except as before excepted; upon pain that every person or persons who shall knowingly or wilfully so employ any ship or vessel, goods or effects, or so invest, employ, lend, advance, or secure, any sum or sums of money for any of the purposes aforesaid, or become guarantee or security for any such factor or agent as aforesaid, or otherwise to engage as partner, factor, agent, or otherwise, in supplying slaves as aforesaid knowingly and wilfully, contrary to the true intent and meaning of this prohibition, shall forfeit or pay for every such offence double the value of all the money, ships, vessels, goods, and effects so by him or them employed, lent, advanced, or secured, to be recovered and applied as is herein-after mentioned and provided; and every mortgage, bond, bill, note, or other security made or given for securing the payment of any such unlawful loan or advance, or for any other the unlawful purposes aforesaid, shall be absolutely null and void: (except in the case of a

British subjects shall not employ their ships, capital, or credit, in foreign slave trade, (except under special licences):

Penalty, double the value of the capital &c. so employed.

All securities void, except against bona fide holders.

bona fide purchaser or holder of any such of the said securities as are in their nature negotiable, who may have purchased or obtained the same, without notice that the same were made or given for or in consideration of any of the unlawful purposes aforesaid." (See 51 Geo. 3. c. 23. s. 12.)

Insurances on foreign or unlicensed slave trade void; and insurer shall forfeit 500L

Clause 7.—“ That, from and after the said first day of January one thousand eight hundred and seven, if any of his majesty's subjects, or any person or persons resident within this united kingdom, or within any of the islands, colonies, dominions, or territories thereunto belonging, shall knowingly and wilfully insure, or cause or procure to be insured, any ship, vessel, slaves, goods, or commodities whatsoever, employed or to be employed in the trading in or carrying of slaves from Africa or elsewhere, to any island, colony, territory, or place belonging to or under the dominion of any foreign sovereign or state, or to any of the said settlements, islands, colonies, or plantations, which have been surrendered to his majesty's arms during the present war, (except such limited and licensed trade to the latter as is by the said order in council, and this present act allowed), any person or persons so insuring, or causing or procuring any such insurance to be made, shall forfeit and pay for every such offence the sum of five hundred pounds; and every such insurance shall be absolutely null and void.” (See 51 Geo. 3. c. 23. s. 7.)

British subjects shall not supply slaves on the coast of Africa, to foreigners.

Penalty, for seizure of ships, and 100L by the master.

Clause 8.—“ That, from and after the said first day of January one thousand eight hundred and seven, it shall not be lawful for any British ship or vessel, or for her boats, officers, or mariners, to be employed, used, or engaged, in or at Africa, or on any part of the coast thereof, directly or indirectly, in supplying with slaves any foreign ship or vessel, or factory, whatsoever or wheresoever, or any person concerned for or on account of any foreign ship or vessel or factory, or for or on account of any island, colony, plantation, or territory, belonging to or under the dominion of any foreign sovereign, state, or power; and every such ship or vessel which shall be so employed, engaged, or used; or the boats, officers, or mariners whereof, by and with the consent and approbation or direction of the owners thereof, shall be so employed, engaged, or used contrary to the true intent and meaning of this act, shall, with all her boats, guns, furniture, ammunition, tackle, and apparel, be forfeited, and shall and may be seized and prosecuted, as is hereinafter mentioned and provided; and the master or other person having or taking the charge and command of such ship or vessel, shall forfeit and pay the sum of one hundred pounds of lawful money of Great-Britain.” (See 51 Geo 3 c. 23. s. 7.)

Clause

Clause 9.—“ That, from and after the expiration of one calendar month, to be computed from the time of the passing of this act, it shall not be lawful for any foreign ship or vessel employed or intended to be employed in the African slave trade, to be fitted out, equipped, manned, or dispatched, at or from any port of this united kingdom, or any other part of his majesty's dominions, for a voyage to Africa, whether that be the place of immediate destination, or such ship or vessel before proceeding thither, is destined to touch at some other port or place, nor shall it be lawful for any of his majesty's subjects, or any other person or persons whatsoever, to ship, lade, or put on board, in any foreign ship or vessel, when destined directly or indirectly to Africa, at any port in this united kingdom, or any other part of his majesty's dominions, any goods, wares, merchandize, or commodities whatsoever, with intent that the same shall be carried to Africa, to be there bartered for slaves, or otherwise employed in the African slave trade; and if any such foreign ship or vessel shall be so unlawfully fitted out, equipped, manned, or dispatched, or if any goods, wares, merchandize, or commodities shall be so unlawfully shipped, laden, or put on board, in any such ship or vessel, with such intent as aforesaid, at any port of his majesty's dominions, such ship or vessel, with all her boats, guns, tackle, apparel, and furniture, and all the goods, wares, merchandize, and commodities, so shipped, laden, or put on board, shall be forfeited, and shall and may be seized and prosecuted as herein-after is mentioned and provided: and if any of his majesty's subjects, or any person or persons resident within his majesty's dominions, shall knowingly and wilfully fit out, equip, man, or dispatch, any such foreign ship or vessel for the purposes aforesaid, or knowingly and wilfully furnish the same with any goods, wares, merchandize, or commodities, as aforesaid, with the intent and for the purpose aforesaid, or be knowingly and wilfully aiding, abetting, or assisting, in any such offence, every person or persons so offending, aiding, abetting, or assisting, shall forfeit and pay for every such offence the sum of one hundred pounds: And every ship or vessel shall be deemed and taken to be a foreign ship or vessel for the purposes aforesaid, although owned in whole or in part by British subjects, which shall not be registered, navigated, and cleared out in such manner as to entitle her to import slaves into a British colony, according to the laws of navigation, and to an act made in the thirty-ninth year of the reign of his present majesty, entitled, “ *An Act for better regulating the manner of carrying slaves in British vessels from the coast of Africa.*”

Foreign ships intended to be employed in the African slave trade shall not be equipped in any port of the united kingdom, or the British dominions. penalty, forfeiture of ship, &c. and 100*l.*

Ships not registered, or not cleared out under 39 G. 3. c. 80. deemed foreign ships.

Clause

On British ships clearing out for Africa, the owner, &c., shall give bond not to trade in slaves to foreign ports.

How such bond shall be discharged.

Clause 10.—"That it shall not be lawful for any ship or vessel clearing out from any British port, after the said first day of January one thousand eight hundred and seven, to export, transport, carry, or convey, any slave or slaves from Africa, or the coast thereof, to the islands, colonies, plantations, or territories, belonging to or under the dominion of his majesty, unless the owner, master, or other person having the charge of such ship or vessel, shall, on her clearing out from Great-Britain, or some one of the said islands, colonies, plantations, or territories, for Africa or the coasts thereof, have certified to the collector or principal officer of the customs at the port of clearance, that the intent of the voyage is to take in, and to transport, carry, and convey, slaves from Africa and the coast thereof to the islands, colonies, plantations, and territories, only belonging to or under the dominion of his majesty, and shall have entered into a bond, in the penal sum of one thousand pounds, with one or more good and sufficient sureties, to the commissioners of the customs in London, or to the chief officer of the customs in other ports respectively, with condition that such ship or vessel shall proceed from the coast of Africa to some port or place in some island, colony, plantation, or territory, belonging to and under the dominion of his majesty, and that no slave or slaves which shall be taken on board the said ship or vessel in Africa, or on the coast thereof, shall be landed or disposed of in any port or place in any island, colony, plantation, or territory, belonging to or under the dominion of any foreign sovereign, state, or power, or (except with such licence as aforesaid) in any of the aforesaid settlements, islands, colonies, or plantations, which have been surrendered to his majesty's arms during the present war, nor shall on any pretence whatsoever be sold or disposed of to the ships or vessels of any foreign sovereign, state, or power, or to any person whatever concerned for or on account of the same, or directly or indirectly in supplying the same with slaves, either on the coast of Africa, or the high seas, or any port, harbour, or place, wheresoever situated; and the said bond shall not be void and discharged until the due and faithful performance of all and every the several conditions therein contained shall have been proved or ascertained by the production of the ship's log-book and the surgeon's journal duly verified, and also by a certificate or certificates from the chief officer of the customs of each and every port or place, in the islands, colonies, plantations, or territories, belonging to or under the dominion of his majesty, where the said ship or vessel shall have touched, setting forth that the several injunctions herein-after contained have been duly complied with: *Provided always*, That the said bond shall be void if not prosecuted within three years after the return of the said ship or vessel.

Clause

Clause 11.—That when and as often as any British ship or vessel which shall have cleared out from any British port after the day last aforesaid, and which shall, during the voyage in which she was engaged, have transported, carried, or conveyed, any slaves from Africa, or the coast thereof, shall arrive at any port or place, in any island, colony, plantation, or territory belonging to or under the dominion of his majesty, the master, or other person having the charge or command of such ship or vessel, shall immediately repair to the custom house at or nearest to the port or place where he shall arrive, and there give in a written account to the collector or chief officer of the customs, of the total number of slaves which he brought in the said ship or vessel from Africa, or the coast thereof, and shall declare that since his departure from thence, he hath not caused to be unshipped or landed, or sold or disposed of any slave or slaves in any island, colony, plantation, or territory, belonging to or under the dominion of any foreign sovereign or state, or into any ship or vessel at sea, or otherwise, and shall confirm such declaration by the production of the ship's log book and surgeon's journal, and also by producing the surgeon and chief mate of such ship or vessel if living, and on board the same, or if otherwise, then the two next officers in point of station on board, to be examined by the said collector or chief officer, on oath (which oath the said collector or chief officer is hereby authorized and required to administer), touching the truth and fairness of the said account.

On arrival of British ships from Africa at British colonies, master shall report, declare, and prove his compliance with this act.

Clause 12.—“And whereas it may frequently happen that the slaves brought in any ship or vessel from Africa, or the coast thereof, or some of them may, not be sold at the first port or place at which the ship or vessel shall arrive in any island, colony, plantation, or territory, belonging to or under the dominion of his majesty; Be it therefore further enacted, That any such ship or vessel, the whole cargo of which shall not have been disposed of at the port at which she shall first arrive in the said islands, colonies, plantations, or territories, belonging to or under the dominion of his majesty, from Africa, or the coast thereof, shall be permitted to proceed with her slaves, or the remainder thereof, to such other port or place, ports or places, within any of the islands, colonies, plantations, or territories, belonging to or under the dominion of his majesty, into which slaves from Africa may be lawfully imported, as the master or other person having or taking the charge or command of such ship or vessel, shall think fit: **Provided always,** That at every such port or ports where any slave or slaves shall be unshipped or landed, the master or other person having or taking the command of such ship shall take from the collector or other

On proceeding with cargo of slaves, or part thereof, from the first port of discharge to any other ports, accounts of slaves shall be taken and certificates given from port to port.

Other chief officer of the customs, a certificate of the number of slaves which shall have been so unshipped and landed out of his ship or vessel, at the said port or place; which certificate, with the account of the original number brought from Africa, or the coast thereof, and also an account of the number remaining on board, and the journal of the surgeon of the said ship or vessel, expressing the number of slaves who shall have died during the said voyage, shall be by the said master, or other person having or taking the charge or command of such ship or vessel, exhibited to the collector or chief officer of the customs of every other port or place in the said islands, colonies, plantations, or territories belonging to or under the dominion of his majesty, at which such ship or vessel shall afterwards touch; and the collector or chief officer of the customs of such other port or place, ports or places, shall, and he is hereby required, to compare the said accounts; and if there shall appear to be any deficiency in the number of slaves which such master, or person having or taking the charge or command of such ship or vessel, shall not be able lawfully to account for, every such master or other person shall forfeit the sum of fifty pounds for every slave which shall be so found deficient and unaccounted for: **Provided always,** That no such ship or vessel shall transport or carry away from any such port or place, on pain of forfeiture of ship and cargo as aforesaid, any other slave or slaves than such as shall have been entered, as part of her cargo from Africa, or the coast thereof, in the same voyage."

Penalty on deficiency, 50*l* per slave.

Penalty on transporting slaves not part of the entered cargo; for forfeiture of ship, &c.

Slaves shall not be exported from one British colony to another, till licence obtained and bond given that they shall not be carried to foreign ports.

Clause 13.—" That from and after the said first day of January, one thousand eight hundred and seven, no person shall embark, ship, export, or carry upon the seas, any slave or slaves from any island, colony, plantation, or territory, belonging to or under the dominion of his majesty, to any other island, colony, plantation, or territory, belonging to or under the dominion of his majesty, in any ship or vessel whatever (except as before mentioned in British ships, from Africa or the coast thereof); until the owner or exporter thereof shall make application in writing to the governor of the said island, colony, plantation, or territory, or to the collector or chief officer of the customs of the port from whence it shall be intended to export or embark the said slave or slaves, which said application shall express the number and quality of the slaves he shall be desirous to export, transport, carry, or convey, and the place to which he means to carry them (such place being always some island, colony, plantation, or territory, belonging to or under the dominion of his majesty, into which such slaves may be lawfully imported without any special licence, or else some or one of the said settlements,

agents, islands, colonies, or plantations which have surrendered to his majesty's arms during the present war, for importing the said slaves into which some such special licence as aforesaid shall have been obtained), and until such owner or exporter shall obtain a licence in writing for the exportation of such slaves from such island, colony, territory, or plantation, wherein such application is made, specifying the place of destination; which licence under his hand and seal the said governor, collector, or chief officer, is hereby authorized and required to grant; but previous thereto every such owner or exporter shall also give bond to his majesty, his heirs and successors, in a penal sum equal to the sum of fifty pounds lawful money of Great-Britain, for every slave so to be carried; and deliver the same to the said governor, or the collector or chief officer of the customs of the port or place from which such slave or slaves shall be carried, the condition of which bond shall be, that the said owner or proprietor shall faithfully and truly land or deliver the said slaves at the place to which he shall be so authorized to export or convey the same, and shall within a time to be in the said condition limited, having respect therein to the ordinary length of the said intended voyage, produce a certificate from the collector or chief officer of the customs of the port or place to which the said slave or slaves shall be so permitted to be exported or conveyed, or, in case there be in that place no collector or chief officer of the customs, from two of the most eminent British merchants or inhabitants, certifying that the said slave or slaves shall have been landed and left in the said port or place, death or other inevitable impediment, to be proved by oath of two credible witnesses, excepted; and if any such slave or slaves, so exported, shall not be so landed and left according to the condition of any such bond, or such certificate as aforesaid, shall not be duly returned, the said bond shall become forfeited, and the said governor or collector, or chief officer, may cause the same to be put in suit, and the said owner or exporter shall not be relieved from the penalty thereof, but on payment of the sum of fifty pounds lawful money, as aforesaid, for every slave not so landed or left, or not so certified to have been landed and left, as aforesaid, nor shall the party be thereby discharged from any penalty or forfeiture incurred by the sending or conveying such slaves to any foreign territory or place contrary to the prohibition in this act, or the said order in council contained: ~~Provided also~~, That the said bonds shall be void, unless prosecuted within three years from the date thereof; ~~Provided also~~, That nothing herein contained shall prevent, or be construed to prevent any slave from being employed either in navigation, fishing, or any other his ordinary business or occupation upon the

See 51, Geo.
III. c. 23, s. 4.

Exemption as
to negro sail-
ors and fisher-
men; domest-
ic slaves at-
tending their
masters to sea.

X

the

Names of
slaves employ-
ed as sailors,
&c. shall be
inserted in the
ship's clear-
ance.

Exception as
to slaves em-
ployed in any
naval or mili-

the seas: ~~Provided~~ also, That nothing in this act contained shall extend, or be construed to extend, to prevent any slave who shall be really and truly the domestic servant of any person residing in any island, colony, plantation, or territory, belonging to or under the dominion of his majesty, from attending such his owner or master, or any part of his family, by sea to any place whatever, whether under the dominion of his majesty, or of any foreign sovereign, state, or power; but if any slave or slaves employed in navigation, or any fishermen or domestic slave or slaves shall be so employed, embarked, or carried in any ship or vessel, on a voyage from any British island or colony to any foreign colony, plantation, or territory, or to any other British island or colony, or to any of the said settlements, islands, colonies, or plantations, which have been surrendered to his majesty's arms during the present war, the names and occupations of every such slave or slaves (except domestic slaves attending on the person of any passenger or passengers on board, not exceeding in number two such slaves for every passenger on board), shall be inserted in or indorsed upon the clearance or permit to depart of such ship or vessel, by or in the presence of the collector, comptroller, or other chief officer of the customs of the port or place from which such ship or vessel shall clear outwards on any such voyage, who shall without fee or reward certify under his hand, that the slave or slaves so embarked or carried were reported and described to him as seamen, fishermen, or domestic servants, as the case may be; and if any slave or slaves shall be found on board any ship or vessel, bound on any such voyage, as aforesaid, whose name and description, names and descriptions, shall not be inserted in or indorsed upon the clearance or permit and certified as aforesaid, (except as aforesaid), or who shall be untruly or fraudulently therein or thereupon described, with intent to violate or elude any of the prohibitions or regulations in this act contained, all and every such slave or slaves shall be forfeited, and shall and may be seized and prosecuted as herein-after is mentioned and provided; and the master or other person having the charge of such ship or vessel, in which the same shall be so embarked and carried without such certificate as aforesaid, and the owner, master, or other person by whom or by whose procurement such slave or slaves shall be so untruly and fraudulently described, with such intent as aforesaid, shall respectively forfeit and pay the sum of fifty pounds lawful money aforesaid for every such slave or slaves, to be recovered and applied as herein-after is mentioned and provided: ~~Provided~~ also, That nothing in this act contained shall be construed or taken to prevent any slave or slaves from being put on board any ship or vessel by the order of his majesty's

His Majesty's commander in chief, either by sea or land, in any island, colony, plantation, or territory, belonging to or under the dominion of his Majesty, in order to be employed in his Majesty's military or naval service, and from being by such order so employed howsoever or wheresoever the said service may require; any thing herein-before contained to the contrary notwithstanding."

tary service
for govern-
ment.

Clause 14.—"That the granting of licences, and every other act which the governor of any island, colony, plantation, or territory, belonging to or under the dominion of his Majesty, is by this act directed or authorized to do or perform, may be lawfully done or performed by the person or persons executing *pro tempore* the office or function of governor of any such island, colony, plantation, or territory, by authority from his Majesty, whether under the style and title of governor, lieutenant-governor, president of the council, or under any other style or title whatsoever."

Governors *pro
tempore* may
act in execu-
tion of this
act.

Clause 15.—"That if at any time hereafter the said settlements, islands, colonies, or plantations on the continent of America, or in the West-Indies, which have been surrendered to his Majesty's arms during the present war, or any or either of them, shall be reconquered by any of his Majesty's enemies, or shall, pursuant to any future treaty of peace or otherwise, cease to be under the dominion, or in the possession of his Majesty, his heirs or successors, then and from thenceforth, the said settlements, islands, colonies, or plantations, or such of them as shall be so reconquered, or pass from his Majesty's dominion and possession, shall for all the purposes of this act be deemed and taken to be settlements, islands, colonies, or plantations, belonging to and under the dominion of a foreign sovereign, state, or power, as fully as if they had been within that description at the time of passing this act."

Colonies sur-
rendered dur-
ing the war,
if reconquered
or restored,
shall be deem-
ed foreign co-
lonies under
this act.

Clause 16.—"That if any person taking any oath by this act authorized or required to be taken, shall thereby commit wilful perjury, or if any person shall unlawfully procure or suborn any person to take any oath by this act authorized or required to be taken, whereby such person shall commit wilful perjury, every such person shall incur and suffer the like pains and penalties as are by law inflicted upon persons committing wilful and corrupt perjury or subornation of perjury respectively."

Penalty of
perjury on
persons taking
false oaths.

Clause 17.—"That the several pecuniary penalties or forfeitures imposed and inflicted by this act, or by the said order in council, shall and may be sued for, prosecuted, and recovered, in any court

Recovery and
application of
penalties.

of record in Great-Britain, or in any court of record or vice admiralty in any part of his majesty's dominions wherein the offence was committed; or in case the offender shall be resident in any other place, then in any part of his majesty's dominions wherein such offender may be found; and that in all cases of seizure of any ships, vessels, slaves, goods, or effects, for any forfeiture under this act, or under the said order in council, the same shall and may respectively be sued for, prosecuted, and recovered, in any court of record in Great-Britain, or in any court of record or vice admiralty in any part of his majesty's dominions in or nearest to which such seizures may be made, or to which such ships or vessels, slaves, goods, or effects (if seized at sea, or without the limits of any British jurisdiction) may most conveniently be carried for trial; and all the said penalties and forfeitures, whether pecuniary or specific, shall go and belong to such person and persons, in such shares and proportions, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied, in such and the like manner, and by the same ways and means, and subject to the same rules and directions, as any penalties or forfeitures incurred in Great-Britain and in the British colonies or plantations in America respectively, by force of any act of parliament relating to the trade and revenues of the said British colonies or plantations in America, now go and belong to; and may now be sued for, prosecuted, tried, recovered, distributed, and applied respectively in Great-Britain, or in the said colonies or plantations respectively, under and by virtue of a certain act of parliament made in the fourth year of his present majesty." (See 4 Geo. 3, c. 15. see also 47 Geo. 3, c. 36, s. 13.)

Ships may be seized and prosecuted by officers of customs, excise, or navy.

Clause 18.—"That all ships and vessels, slaves, goods, and effects, that shall or may become forfeited for any offence committed against this act, or against the said order in council, shall and may be seized by any officer of his majesty's customs or excise, or by the commanders or officers of any of his majesty's ships or vessels of war, who in making and prosecuting any such seizures, shall have the benefit of all the provisions made by the said act of the fourth year of his present majesty, or any other act of parliament for the protection of officers seizing and prosecuting for any offence against the said act, or any other act of parliament relating to the trade and revenues of the British colonies or plantations in America."

General issue.

Clause 19.—"That if any action or suit shall be commenced either in Great Britain or elsewhere, against any person or persons for any thing done in pursuance of this act, or of the said order in council, the defendant or defendants in such action or suit may plead

plead the general issue, and give this act, or the said order in council as herein recited, and the special matter, in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act, or of the said order in council: And if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited or discontinue his action after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same as defendants have in other cases by law." (See 47 Geo. 3 c. 36 s. 18.)

Treble costs.

ANNO 47^o GEORGE III. CAP. 36.

Enacts, Clause 1.—"That from and after the first day of May one thousand eight hundred and seven, the African slave trade, and all and all manner of dealing and trading in the purchase, sale, barter, or transfer, of slaves, or of persons intended to be sold, transferred, used, or dealt with as slaves, practised or carried on, in, at, to, or from, any part of the coast or countries of Africa, shall be, and the same is hereby, utterly abolished, prohibited, and declared to be unlawful; and also that all and all manner of dealing, either by way of purchase, sale, barter, or transfer, or by means of any other contract or agreement whatever, relating to any slaves, or to any persons intended to be used or dealt with as slaves, for the purpose of such slaves or persons being removed or transported, either immediately or by transshipment at sea or otherwise, directly or indirectly from Africa, or from any island, country, territory, or place whatever, in the West-Indies, or in any other part of America, not being in the dominion, possession, or occupation, of his majesty, to any other island, country, territory, or place whatever, is hereby in like manner utterly abolished, prohibited, and declared to be unlawful; and if any of his majesty's subjects, or any person or persons resident within this united kingdom, or any of the islands, colonies, dominions, or territories, thereto belonging, or in his majesty's occupation or possession, shall from and after the day aforesaid, by him or themselves, or by his or their factors or agents, or otherwise howsoever, deal or trade in, purchase, sell, barter, or transfer, or contract or agree for the dealing or trading in, purchasing, selling, bartering, or transferring of any slave or slaves, or any person or persons intended to be sold, transferred, used, or dealt with, as a slave or slaves, contrary to the prohibitions of this act, he or they so offending, shall forfeit and pay for every such offence the sum of one hundred pounds of lawful money of Great-Britain for each and every slave so purchased, sold,

From May 1, 1807, the African slave trade shall be abolished.

Penalty for trading in or purchasing slaves, &c. 100l. for each slave.

sold, bartered, or transferred, or contracted, or agreed for, as aforesaid; the one moiety thereof to the use of his majesty, his heirs and successors, and the other moiety to the use of any person who shall inform, sue, and prosecute, for the same." (See 51 Geo. 3, c. 23, s. 7.)

Vessels fitted out in this kingdom or the colonies, &c. for carrying on the slave trade shall be forfeited.

Clause 2.—"That from and after the said first day of May one thousand eight hundred and seven, it shall be unlawful for any of his majesty's subjects, or any person or persons resident within this united kingdom, or any of the islands, colonies, dominions, or territories, thereto belonging, or in his majesty's possession or occupation, to fit out, man, or navigate, or to procure to be fitted out, manned, or navigated, or to be concerned in the fitting out, manning, or navigating, or in the procuring to be fitted out, manned, or navigated, any ship or vessel for the purpose of assisting in, or being employed in, the carrying on of the African slave trade, or in any other the dealing, trading, or concerns hereby prohibited and declared to be unlawful, and every ship or vessel which shall, from and after the day aforesaid, be fitted out, manned, navigated, used, or employed, by any such subject or subjects, person or persons, or on his or their account, or by his or their assistance or procurement, for any of the purposes aforesaid, and by this act prohibited, together with all her boats, guns, tackle, apparel, and furniture, shall become forfeited, and may and shall be seized and prosecuted as herein-after is mentioned and provided."

Persons prohibited from carrying as slaves inhabitants of Africa, the West-Indies, or America, from one place to another, or being concerned in receiving them, &c.

Clause 3.—"That from and after the said first day of May one thousand eight hundred and seven, it shall be unlawful for any of his majesty's subjects, or any person or persons resident in this united kingdom, or in any of the colonies, territories, or dominions, thereunto belonging, or in his majesty's possession or occupation, to carry away or remove, or knowingly and wilfully to procure, aid, or assist, in the carrying away or removing, as slaves, or for the purpose of being sold, transferred, used, or dealt with as slaves, any of the subjects or inhabitants of Africa, or of any island, country, territory, or place, in the West-Indies, or any other part of America whatsoever, not being in the dominion, possession, or occupation, of his majesty, either immediately or by transshipment at sea, or otherwise, directly or indirectly, from Africa, or from any such island, country, territory, or place, as aforesaid, to any other island, country, territory, or place whatever, and that it shall also be unlawful for any of his majesty's subjects, or any person or persons resident in this united kingdom, or in any of the colonies, territories, or dominions, thereunto belonging, or in his majesty's possession,

possession or occupation, knowingly and wilfully to receive, detain, or confine, on board, or to be aiding, assisting, or concerned in the receiving, detaining, or confining, on board of any ship or vessel whatever, any such subject or inhabitant as aforesaid, for the purpose of his or her being so carried away or removed as aforesaid, or of his or her being sold, transferred, used, or dealt with as a slave, in any place or country whatever; and if any subject or inhabitant, subjects or inhabitants of Africa, or of any island, country, territory, or place, in the West-Indies or America, not being in the dominion, possession, or occupation, of his majesty, shall from and after the day aforesaid, be so unlawfully carried away or removed, detained, confined, transhipped, or received on board of any ship or vessel belonging in the whole or in part to, or employed by, any subject of his majesty, or person residing in his majesty's dominions or colonies, or any territory belonging to or in the occupation of his majesty, for any of the unlawful purposes aforesaid, contrary to the force and effect, true intent and meaning, of the prohibitions in this act contained, every such ship or vessel, in which any such person or persons shall be so unlawfully carried away or removed, detained, confined, transhipped, or received on board, for any of the said unlawful purposes, together with all her boats, guns, tackle, apparel, and furniture, shall be forfeited, and all property or pretended property in any slaves or natives of Africa so unlawfully carried away or removed, detained, confined, transhipped or received on board, shall also be forfeited, and the same respectively shall and may be seized and prosecuted as herein-after is mentioned and provided; and every subject of his majesty, or person resident within this united kingdom, or any of the islands, colonies, dominions, or territories, thereto belonging, or in his majesty's possession or occupation, who shall, as owner, part owner, freighter or shipper, factor or agent, captain, mate, supercargo, or surgeon, so unlawfully carry away, or remove, detain, confine, tranship, or receive on board, or be aiding or assisting in the carrying away, removing, detaining, confining, transhipping, or receiving on board, for any of the unlawful purposes aforesaid, any such subject or inhabitant of Africa, or of any island, country, territory, or place, not being in the dominion, possession, or occupation, of his majesty, shall forfeit and pay for each and every slave or person so unlawfully carried away, removed, detained, confined, transhipped, or received on board, the sum of one hundred pounds of lawful money of Great Britain, one moiety thereof to the use of his majesty, and the other moiety to the use of any person who shall inform, sue, and prosecute, for the same."

Vessels employed in such removal, &c. to be forfeited, as also the property in the slaves.

Owners, &c. shall forfeit 100l. for each slave.

Clause

Subjects of Africa, &c. unlawfully carried away and imported into any British colony, &c. as slaves, shall be forfeited to his majesty.

Clause 4.—"That if any subject or inhabitant, subjects or inhabitants of Africa, or of any island, country, territory, or place, not being in the dominion, possession, or occupation, of his majesty, who shall, at any time, from and after the day aforesaid, have been unlawfully carried away or removed from Africa, or from any island, country, territory, or place in the West-Indies or America, not being in the dominion, possession, or occupation of his majesty, contrary to any of the prohibitions or provisions in this act contained, shall be imported or brought into any island, colony, plantation, or territory, in the dominion, possession, or occupation of his majesty, and there sold or disposed of as a slave or slaves, or placed, detained, or kept in a state of slavery, such subject or inhabitant, subjects or inhabitants, so unlawfully carried away, or removed and imported, shall and may be seized and prosecuted, as forfeited to his majesty, by such person or persons, in such courts, and in such manner and form, as any goods or merchandize unlawfully imported into the same island, colony, plantation, or territory, may now be seized and prosecuted therein by virtue of any act or acts of parliament now in force for regulating the navigation and trade of his majesty's colonies and plantations, and shall and may, after his or their condemnation, be disposed of in manner herein-after mentioned and provided."

Insurance on transactions concerning the slave trade not lawful.

Penalty 100l. and treble the amount of the premium.

Clause 5.—"That from and after the said first day of May one thousand eight hundred and seven, all insurances whatsoever to be effected upon or in respect to any of the trading, dealing, carrying, removing, transshipping, or other transactions by this act prohibited, shall be also prohibited and declared to be unlawful; and if any of his majesty's subjects, or any person or persons resident within this united kingdom, or within any of the islands, colonies, dominions, or territories, thereunto belonging, or in his majesty's possession or occupation, shall knowingly and wilfully subscribe, effect, or make, or cause or procure to be subscribed, effected, or made, any such unlawful insurances or insurance, he or they shall forfeit and pay for every such offence the sum of one hundred pounds for every such insurance, and also treble the amount paid or agreed to be paid as the premium of any such insurance, the one moiety thereof to the use of his majesty, his heirs and successors, and the other moiety to the use of any person who shall inform, sue, and prosecute, for the same."

Act shall not affect the trade.

Clause 6.—"That nothing herein contained shall extend, or be deemed or construed to extend, to prohibit, or render unlawful, the dealing or trading in the purchase, sale, barter, or transfer, or the carrying

carrying away or removing for the purpose of being sold, transferred, used, or dealt with, as slaves, or the detaining or confining, for the purpose of being so carried away or removed, of any slaves which shall be exported, carried, or removed, from Africa, in any ship or vessel which, on or before the said first day of May one thousand eight hundred and seven, shall have been lawfully cleared out from Great Britain according to the law now in force for regulating the carrying of slaves from Africa, or to prohibit or render unlawful the manning or navigating any such ship or vessel, or to make void any insurance thereon, so as the slaves to be carried therein shall be finally landed in the West Indies on or before the first day of March one thousand eight hundred and eight, unless prevented by capture, the loss of the vessel, by the appearance of an enemy upon the coast, or other unavoidable necessity, the proof whereof shall lie upon the party charged; any thing herein before contained to the contrary notwithstanding."

ing in slaves, exported from Africa in vessels cleared out from Great Britain on or before May 1, 1807, and landed in the West Indies by March 1, 1808, &c.

Clause 7.—"That all slaves and all natives of Africa, treated, dealt with, carried, kept or detained, as slaves, which shall at any time from and after the said first day of May next be seized or taken as prize of war, or liable to forfeiture, under this or any other act of parliament made for restraining or prohibiting the African slave trade, shall and may, for the purposes only of seizure, prosecution, and condemnation as prize, or as forfeitures, be considered, treated, taken, and adjudged, as slaves and property, in the same manner as negro slaves have been heretofore considered, treated, taken, and adjudged, when seized as prize of war, or as forfeited for any offence against the laws of trade and navigation respectively; but the same shall be condemned as prize of war, or as forfeited to the sole use of his majesty, his heirs and successors, for the purpose only of divesting and barring all other property, right, title, or interest whatever, which before existed, or might afterwards be set up or claimed in or to such slaves or natives of Africa, so seized, prosecuted, and condemned; and the same nevertheless shall in no case be liable to be sold, disposed of, treated or dealt with, as slaves, by or on the part of his majesty, his heirs or successors, or by or on the part of any person or persons claiming or to claim from, by, or under, his majesty, his heirs and successors, or under or by force of any such sentence of condemnation: ~~Provided~~ **provided** always, That it shall be lawful for his majesty, his heirs and successors, and such officers, civil or military, as shall, by any general or special order of the king in council, be from time to time appointed and empowered to receive, protect, and provide for, such natives of Africa as shall be so condemned,

Slaves taken as prize of war, or seized as forfeitures, shall be condemned as prize, or forfeited to the king, for the purpose of putting an end to their slavery, and may be enlisted, &c.

Y

either

either to enter and enlist the same, or any of them, into his majesty's land or sea service, as soldiers, seamen, or marines, or to bind the same, or any of them, whether of full age or not, as apprentices, for any term not exceeding fourteen years, to such person or persons, in such place or places, and upon such terms and conditions, and subject to such regulations, as to his majesty shall seem meet, and as shall by any general or special order of his majesty in council be in that behalf directed and appointed; and any indenture of apprenticeship duly made and executed, by any person or persons to be for that purpose appointed by any such order in council, for any term not exceeding fourteen years, shall be of the same force and effect as if the party thereby bound as an apprentice had himself or herself, when of full age, upon good consideration, duly executed the same; and every such native of Africa who shall be so enlisted or entered as aforesaid into any of his majesty's land or sea forces as a soldier, seaman, or marine, shall be considered, treated, and dealt with in all respects, as if he had voluntarily so enlisted or entered himself." (See 55, Geo. 3, c. 172, s. 7.)

Certain bounties shall be paid for such slaves to the captors, as head money is paid under 45 Geo. 3, c. 72, s. 5.

Clause 8.—“ That where any slaves or natives of Africa, taken as prize of war by any of his majesty's ships of war, or privateers duly commissioned, shall be finally condemned as such to his majesty's use as aforesaid, there shall be paid to the captors thereof by the treasurer of his majesty's navy, in like manner as the bounty called head money is now paid by virtue of an act of parliament, made in the forty-fifth year of his majesty's reign, intituled, *An Act for the encouragement of seamen, and for the better and more effectually manning his majesty's navy during the present war*, such bounty as his majesty, his heirs and successors, shall have directed by any order in council, so as the same shall not exceed the sum of forty pounds lawful money of Great Britain for every man, or thirty pounds of like money for every woman, or ten pounds of like money for every child or person not above fourteen years old, that shall be so taken and condemned, and shall be delivered over in good health to the proper officer or officers, civil or military, so appointed as aforesaid to receive, protect, and provide for the same; which bounties shall be divided amongst the officers, seamen, marines, and soldiers, on board his majesty's ships of war, or hired armed ships, in manner, form, and proportion, as by his majesty's proclamation for granting the distribution of prizes already issued, or to be issued, for that purpose, is or shall be directed and appointed, and amongst the owners, officers, and seamen, of any private ship or vessel of war, in such manner and proportion as, by an agreement

agreement in writing that they shall have entered into for that purpose, shall be directed."

Clause 9.—"That in order to entitle the captors to receive the said bounty money, the numbers of men, women, and children, so taken, condemned, and delivered over, shall be proved to the commissioners of his majesty's navy, by producing, instead of the oaths and certificates prescribed by the said act as to head money, a copy, duly certified, of the sentence or decree of condemnation, whereby the numbers of men, women, and children, so taken and condemned, shall appear to have been distinctly proved; and also, by producing a certificate under the hand of the said officer or officers, military or civil, so appointed as aforesaid, and to whom the same shall have been delivered, acknowledging that he or they hath or have received the same, to be disposed of according to his majesty's instructions and regulations as aforesaid."

Certificates to entitle to bounty.

Clause 10.—"That in any cases in which doubts shall arise whether the party or parties claiming such bounty money is or are entitled thereto, the same shall be summarily determined by the judge of the high court of admiralty, or by the judge of any court of admiralty in which the prize shall have been adjudged, subject nevertheless to an appeal to the lords commissioners of appeals in prize causes."

Claim to bounty shall be determined by the judge of admiralty.

Clause 11.—"That on the condemnation to the use of his majesty, his heirs and successors, in manner aforesaid, of any slaves or natives of Africa, seized and prosecuted as forfeited for any offence against this act, or any other act of parliament made for restraining or prohibiting the African slave trade (except in the case of seizures made at sea by the commanders or officers of his majesty's ships or vessels of war) there shall be paid to and to the use of the person who shall have sued, informed, and prosecuted the same to condemnation, the sums of thirteen pounds lawful money aforesaid, for every man, of ten pounds like money for every woman, and of three pounds like money for every child or person under the age of fourteen years, that shall be so condemned and delivered over in good health to the said civil or military officer, so to be appointed to receive, protect, and provide for the same, and also the like sums to and to the use of the governor or commander in chief of any colony or plantation wherein such seizure shall have been made; but in cases of any such seizures made at sea by the commanders or officers of his majesty's ships or vessels of war, for forfeiture under this act, or any other act of parliament made for

On condemnation of forfeitures of slaves, for offences against this act, there shall be paid to the prosecutor 13*l*. for a man, 10*l*. for a woman, and 3*l*. for a child, &c.

Y 2

restraining

restraining or prohibiting the African slave trade, there shall be paid to the commander or officer who shall so seize, inform, and prosecute, for every man so condemned and delivered over, the sum of twenty pounds like money, for every woman the sum of fifteen pounds like money, and for every child or person under the age of fourteen years the sum of five pounds like money, subject nevertheless to such distribution of the said bounties or rewards for the said seizures made at sea, as his majesty, his heirs and successors, shall think fit to order and direct by any order in council made for that purpose; for all which payments so to be made as bounties or rewards upon seizures and prosecutions for offences against this act, or any other act of parliament made for restraining or abolishing the African slave trade, the officer or officers, civil or military, so to be appointed as aforesaid to receive, protect, and provide for such slaves or natives of Africa, so to be condemned and delivered over, shall, after the condemnation and receipt thereof, as aforesaid, grant certificates in favour of the governor and party seizing, informing, and prosecuting as aforesaid respectively, or the latter alone (as the case may be) addressed to the lords commissioners of his majesty's treasury; who, upon the production to them of any such certificate, and of an authentic copy, duly certified, of the sentence of condemnation of the said slaves or Africans to his majesty's use, as aforesaid, and also of a receipt under the hand of such officer or officers so appointed as aforesaid, specifying that such slaves or Africans have by him or them been received in good health, as aforesaid, shall direct payment to be made from and out of the consolidated fund of Great Britain of the amount of the monies specified in such certificate, to the lawful holders of the same, or the persons entitled to the benefit thereof respectively."

Counterfeiting certificates
felony without
clergy.

Clause 12.—"That if any person shall wilfully and fraudulently forge or counterfeit any such certificate, copy of sentence of condemnation, or receipt as aforesaid, or any part thereof, or shall knowingly and wilfully utter or publish the same, knowing it to be forged or counterfeited, with intent to defraud his majesty, his heirs and successors, or any other person or persons whatever, the party so offending shall, on conviction, suffer death, as in cases of felony, without benefit of clergy."

Recovery and
application of
penalties and
forfeitures.

Clause 13.—"That the several pecuniary penalties or forfeitures imposed and inflicted by this act, shall and may be sued for, prosecuted, and recovered, in any court of record in Great Britain, or in any court of record or vice admiralty, in any part of his majesty's

Majesty's dominions wherein the offence was committed, or where the offender may be found after the commission of such offence; and that in all cases of seizure of any ships, vessels, slaves or pretended slaves, goods or effects, for any forfeiture under this act, the same shall and may respectively be sued for, prosecuted, and recovered, in any court of record in Great-Britain, or in any court of record or vice admiralty in any part of his majesty's dominions, in or nearest to which such seizures may be made, or to which such ships or vessels, slaves, or pretended slaves, goods or effects (if seized at sea or without the limits of any British jurisdiction) may most conveniently be carried for trial; and all the said penalties and forfeitures, whether pecuniary or specific (unless where it is expressly otherwise provided for by this act) shall go and belong to such person and persons, in such shares and proportions, and shall and may be sued for and prosecuted, tried, recovered, distributed, and applied, in such and the like manner, and by the same ways and means, and subject to the same rules and directions, as any penalties or forfeitures incurred in Great-Britain, and in the British colonies or plantations in America respectively, by force of any act of parliament relating to the trade and revenues of the said British colonies or plantations in America now go and belong to, and may now be sued for, prosecuted, tried, recovered, distributed, and applied respectively in Great-Britain, or in the said colonies or plantations respectively, under and by virtue of a certain act of parliament made in the fourth year of his present majesty." (See 4 Geo. 3, c. 15; also 46 Geo. 3, c. 52, s. 17.)

Clause 14.—"That all ships and vessels, slaves, or natives of Africa, carried, conveyed, or dealt with as slaves, and all other goods and effects that shall or may become forfeited for any offence committed against this act, shall and may be seized by any officer of his majesty's customs or excise, or by the commanders or officers of any of his majesty's ships or vessels of war, who, in making and prosecuting any such seizures, shall have the benefit of all the provisions made by the said act of the fourth year of his present majesty, or any other act of parliament made for the protection of officers seizing and prosecuting for any offence against the said act, or any other act of parliament relating to the trade and revenues of the British colonies or plantations in America."

Seizures may be made by officers of customs, or excise, or navy.

Clause 15.—"That all offences committed against this act may be inquired of, tried, determined, and dealt with, as misdemeanors, as if the same had been respectively committed within the body of the county of Middlesex."

Offences triable as if committed in Middlesex.

Clause

His majesty
may make re-
gulations for
disposal of
negroes after
their appren-
ticeship.

Clause 16.—"That it shall and may be lawful for his majesty in council, from time to time, to make such orders and regulations for the future disposal and support of such negroes as shall have been bound apprentices under this act, after the term of their apprenticeship shall have expired, as to his majesty shall seem meet, and as may prevent such negroes from becoming at any time chargeable upon the island in which they shall have been so bound apprentices, as aforesaid."

Negroes en-
listed as sol-
diers not en-
titled to pen-
sions, &c.

Clause 17.—"That none of the provisions of any act as to enlisting for any limited period of service, or as to any rules or regulations for the granting any pensions or allowances to any soldiers discharged after certain periods of service, shall extend, or be deemed or construed in any manner to extend, to any negroes so enlisting and serving in any of his majesty's forces."

General issue.

Clause 18.—"That if any action or suit shall be commenced either in Great-Britain or elsewhere, against any person or persons for any thing done in pursuance of this act, the defendant or defendants in such action or suit may plead the general issue, and give this act, and the special matter in evidence at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this act; and if it shall appear so to have been done, the jury shall find for the defendant or defendants; and if the plaintiff shall be nonsuited or discontinue his action, after the defendant or defendants shall have appeared, or if judgment shall be given upon any verdict, or demurrer against the plaintiff, the defendant or defendants shall recover treble costs, and have the like remedy for the same, as defendants have in other cases by law."

Treble costs.

ANNO 51^o GEORGII III. CAP. 23:

Carrying on
the slave trade,
or any way en-
gaged therein,
declared fe-
lony.

Enacts, Clause 1.—"That if any subject or subjects of his majesty, or if any person or persons residing, or being within this united kingdom, or in any of the islands, colonies, dominions, forts, settlements, factories, or territories, now or hereafter belonging thereto, or being in his majesty's occupation or possession or under the government of the united company of merchants trading to the East Indies, shall, from and after the first day of June next, by him or themselves, or by his or their factors, or agents, or otherwise howsoever, carry away or remove, or aid, or assist, in the carrying away or removing, as a slave, or slaves, or for the purpose of being sold, transferred, used, or dealt with as a slave or slaves, any person or persons whatsoever, from any part of Africa, or from any other country, territory, or place whatsoever, either immediately,

immediately, or by transshipment, at sea, or otherwise, directly or indirectly; or shall import or bring, or aid, or assist, in the importing or bringing into any island, colony, country, territory, or place whatsoever, any such person or persons as aforesaid, for the purpose aforesaid; or shall knowingly and wilfully ship, embark, receive, detain, or confine on board any ship, vessel, or boat, any such person or persons as aforesaid, for the purpose of his, her, or their, being so carried away or removed, imported, or brought as aforesaid, or of being sold, transferred, used, or dealt with as a slave or slaves; or shall knowingly and wilfully use, or employ, or permit to be used, or employed, or let, or take, to freight, or on hire, any ship or vessel, to be used, or employed, in carrying away, or removing, importing, or bringing, or for the purpose of carrying away, or removing, importing, or bringing, as aforesaid, any such person or persons, as a slave or slaves, or for the purpose of his, her, or their, being sold, transferred, used, or dealt with, as a slave or slaves: or shall fit out, or cause to be fitted out, or shall take the charge or command of, or navigate, or enter and embark on board, any such ship, or vessel, as master or captain, mate, supercargo, or surgeon, knowing that such ship or vessel is actually employed, or is, in the same voyage, for which he or they, shall so enter and embark on board, intended to be employed in carrying or removing, importing or bringing as aforesaid any such person or persons, as or for the purpose of his, her, or their, being sold, transferred, used, or dealt with, as a slave or slaves; then, and in every such case, the person or persons so offending, and their counsellors, aiders and abettors, shall be and are hereby declared to be felons, and shall be transported beyond seas, for a term not exceeding fourteen years, or shall be confined and kept to hard labour for a term not exceeding five years, nor less than three years, at the discretion of the court before whom such offender or offenders shall be tried and convicted."

Punishment.

Clause 2.—"That if any person or persons shall, from and after the first day of May next, enter or navigate, or embark on board, any such ship or vessel, used, and employed, or meant and intended to be used and employed as aforesaid, as a petty officer, servant, or seaman, or petty officers, servants, or seamen, knowing that such is, or shall be, the purpose or one of the purposes of the voyage, or if any person or persons shall underwrite, or procure to be underwritten, any policy of assurance upon any ship or vessel, or goods, or the freight of any ship or vessel employed or intended to be employed in any such voyage, knowing that such is, or shall be, the purpose or one of the purposes of the said voyage,

Serving on board ship, or underwriting policy thereon.

Punishment.

age, he, or they, nevertheless, shall not be deemed guilty of a felony within the meaning of this act, but shall be, and they are hereby declared to be, guilty of a misdemeanor only, and shall be punished by imprisonment for a term not exceeding two years."

Accessaries.

Clause 3.—"That such persons shall not be deemed to be nor shall be punished as accessaries to felony; any thing in this present act to the contrary thereof notwithstanding."

Proviso for removing slaves from one British settlement to another, &c.

Clause 4.—"That nothing in this act contained shall extend, or be construed to extend, to subject any person or persons to the pains and penalties hereby imposed for exporting, removing, or carrying from, any present or future British island, colony, or settlement, in the West-Indies, to any other present or future British island, colony, or settlement, in the West-Indies, or from one part of such British island, colony, or settlement, in the West-Indies, to any other part of the same island, colony, or settlement, or for importing or transporting into, or landing in, any such island, colony, or settlement, any slave or slaves, which have been, or shall be born within such islands, colonies, or settlements, or any slave or slaves, which shall have been, or may be, lawfully imported or brought into the said islands, colonies, or settlements, or for removing or carrying any slave or slaves, from one part of any foreign island, colony, or settlement, to another part of the same foreign island, colony, or settlement, or for transshipping and assisting at sea, any slave or slaves, which shall be in any ship or vessel in distress: ~~Provided also~~, that nothing in this act contained, shall extend to prevent the transportation to any foreign colony, or place, of any slave or slaves, that shall have been convicted by due course of law, in any present or future British island, or colony, of any crime, to which the punishment of transportation is, or shall be, annexed, by the law of such island, or colony, but in every such case, a copy of the judgment, or sentence, certified by the court before which the offender was convicted, shall be put on board in the ship, or vessel, in which any such convict shall be transported." (See 46 Geo. 3, c. 52, s. 13.)

And for the transportation to foreign places of slaves that have been convicted of crimes.

Proviso for things done before certain periods.

Clause 5.—"That nothing hereinbefore contained shall extend, or be construed to extend, to subject any person or persons to the pains and penalties hereby imposed for any thing done or to be done in Africa, west of the Cape of Good Hope, or in the West-Indies or America to the east of Cape Horn, on or before the first day of September next; nor for any thing done or to be done in the East Indies, the island of Madagascar, the ports and places of Africa

Africa to the east of the Cape of Good Hope, the islands of Mauritius and Bourbon, and the islands in the East Indian seas, on or before the first day of January next; nor for any thing done or to be done in New Holland, the islands in the South Seas, or the coast of America to the west of Cape Horn, on or before the first day of May, in the year one thousand eight hundred and twelve; nor for any thing done or to be done in the high seas, on board of any ship or vessel which hath or shall have sailed last from any port in Great-Britain or Ireland, on or before the first day of June next, or from any other port or place in Europe, on or before the first day of July next; or from any port or place in Africa, west of the Cape of Good Hope, or the West-Indies, or America to the east of Cape Horn, on or before the first day of August next; or from any port or place in the East Indies, Madagascar, the islands of Mauritius and Bourbon, the coast of Africa, to the east of the Cape of Good Hope, and the islands in the East Indian seas, on or before the first day of January next; or from any port or place in New Holland, the islands in the South Seas, or the coast of America to the west of Cape Horn, on or before the first day of May, in the year one thousand eight hundred and twelve."

Clause 6.—"That all offences hereinbefore declared to be felonies or misdemeanors, which shall be committed in Africa, or in any country, territory, or place, other than this united kingdom, or on the high seas, or in any port, sea, creek, or place, where the admiral has jurisdiction, shall and may be enquired of either, according to the ordinary course of law, and the provisions of an act passed in the twenty-eighth year of the reign of king Henry the eighth, intituled, *An act for pirates*, or according to the provisions of an act passed in the thirty-third year of the reign of king Henry the eighth, intituled, *An act to proceed, by commission of oyer and terminer, against such persons as shall confess treason and felony, without remanding the same to be tried in the shire, where the offence was committed*, so far as the same act is now unrepealed; or according to the provisions of an act passed in the eleventh and twelfth years of the reign of his late majesty king William the third, intituled, *An act passed for the more effectual suppression of piracy*."

How offences to be tried.

28 Hen. 8, c. 15.

31 Hen. 8, c. 23.

11 and 12 Wm. 3, c. 7.

Clause 7.—"That nothing herein contained, shall be construed to repeal, annul, or alter, the said act of the forty-seventh year of his present majesty, or an act made in the forty-sixth year of his present majesty, for preventing the importation of slaves by any of his majesty's subjects, into any islands, colonies, plantations, or territories."

Former acts in respect of slave seizures.

46 Geo. 3, c.
63.
47 Geo. 3, c. 1,
s. 20.

territories, belonging to any foreign state or power, in respect of any forfeitures of ships or vessels, cargoes, goods, or effects, thereby respectively imposed, for any offence against the said acts, or either of them, or the remedies thereby given for the recovery thereof, or in respect of any pecuniary penalties thereby imposed; but that the said acts shall, in all other respects, be deemed and taken to be in full force, except so far as the said act of the forty-sixth year of his present majesty is altered or extended by the said act of the forty-seventh year of his said majesty."

Governors and
commanders in
chief, and per-
sons autho-
rized by them
may seize ves-
sels and other
forfeitures.

Clause 8.—"That it shall and may be lawful for all governors, or persons having the chief command, civil or military, of any of the colonies, settlements, forts, or factories, belonging to his majesty, or to the African company in Africa, or any African island, and for all persons deputed and authorized by any such governor or commander in chief, to seize and prosecute all ships and vessels, slaves, or natives of Africa, carried, conveyed, or dealt with, as slaves, and all goods and effects whatsoever, that shall or may become forfeited for any offence committed against the said acts of parliament, or either of them, and which shall be found upon, or near to the said coast, or in any port, haven, or river, thereof; or within the limits of any of the said colonies, settlements, forts, or factories, which governor or commander in chief, and all persons by them so deputed and authorized, shall, in making and prosecuting any such seizures, have the benefit of all the provisions made by the said acts of parliament, or by an act of the fourth year of his present majesty therein recited, or by any other act of parliament for the protection of officers seizing and prosecuting for any offence against the said last mentioned act, or any other act of parliament relating to the trade and revenues of the British colonies or plantations in America."

4 Geo. 3, c. 15.

Persons sail-
ing in vessels
giving infor-
mation of of-
fences com-
mitted, not
liable to pun-
ishment.

Clause 9.—"That if any person or persons, sailing, or being in the capacity of a petty officer, or petty officer's servant or servants, seaman or seamen, on board of any ship or vessel fitted out for, or engaged in, the unlawfully carrying, removing, trading, or dealing in slaves, shall, within three months after the arrival of the said vessel, at any port belonging to his majesty, give information, on oath, before any competent magistrate, against any owner or part owner, or any captain, mate, surgeon, or supercargo of such ship or vessel, who shall have committed any offence against this act, and shall give evidence, on oath, against such owner or part owner, captain, mate, surgeon, and supercargo, before any magistrate or court before whom such offender may be tried; or if such person

or persons, so sailing as aforesaid, in the capacity of a petty officer, or petty officers, mariner or mariners, servant, or servants, shall, within three months after his or their arrival at any port or place not within his majesty's dominions, give information to any of his majesty's ambassadors, ministers plenipotentiary, envoys, charges d'affaires, consuls, residents or other agents, so that any person or persons owning such ship or vessel, or navigating or taking charge of the same, as captain, mate, surgeon, or supercargo, may be apprehended, such person or persons, so giving such information and evidence, shall not be liable to any of the pains or penalties of this act, or any fine or other punishment under the said acts of the forty sixth and forty seventh years of his present majesty, or either of them; but shall be wholly discharged therefrom, and his majesty's ambassadors, ministers plenipotentiary, envoys, charges d'affaires, consuls, residents or other agents, are hereby required to receive any such information as aforesaid, and to transmit the particulars thereof, without delay, to one of his majesty's principal secretaries of state, and to transmit copies of the same to the commanders of his majesty's ships or vessels then being in the said port or place."

46 Geo. 3, c.
52,
47 Geo. 3, cap.
1, c. 25.

ANNO 53^o GEORGE III. CAP. 112.

Enacts,—"That all actions, suits, bills, indictments, or informations, for the recovery of any of the penalties or forfeitures provided or imposed by the said acts of the forty sixth and forty seventh years of the reign of his said majesty, or either of them, and which shall be incurred after the passing of this act, may be commenced, had, brought, sued, exhibited or prosecuted, at any time within three years after the offence committed; by reason whereof such penalty or forfeiture shall be incurred; any thing in this or the said recited acts, or in any other act contained to the contrary thereof notwithstanding."

Further time
allowed for
commencing
actions, suits,
&c. for of-
fences against
acts for aboli-
tion of slave-
trade.

46 Geo. 3, c.
52
47 Geo. 3, c.
25.

ANNO 54^o GEORGE III. CAP. 59.

Enacts,—"That all ships or vessels, whether British or foreign, which shall at any time after the passing of this act become forfeited under any of the provisions of any act or acts of parliament now in force, or which may hereafter be passed, for the prevention, abolition, or regulation, of the slave trade, and be adjudged to be forfeited in any court of record in Great Britain, or which shall be condemned as forfeited in any court of admiralty or vice admiralty in any part of his majesty's dominions, for any offence in relation to the slave trade, shall, from and after such judgment or condemnation respectively, be entitled to a certificate of registry as a Bri-

Ships con-
demned for
breach of laws
relating to
slave trade en-
titled to privi-
leges of British
ships.

Proviso. ship, and thereupon have and enjoy all the privileges and advantages of British built ships and vessels, in like manner with ships and vessels taken by his majesty's ships of war, and condemned as lawful prize of war in courts of admiralty: ~~Provided also,~~ That all such ships and vessels shall be subject to the same duties and regulations, and shall be registered in the same manner and form, and subject to the same conditions and restrictions, penalties and forfeitures, and shall be in like manner owned and navigated, as ships and vessels condemned as lawful prize are directed and required to be, in order to their obtaining British registers and enjoying the privileges of British ships owned, registered, and navigated, according to law."

ANNO. 55th GEORGE III. CH. 112.

Provisions for subsistence of slaves during adjudication to be furnished.

Enacts, *Clause 1.*—"That, from and after the passing of this act, when any native or natives of Africa, held and treated as slaves, or other person or persons held or treated as slaves, within the provisions of any act of parliament passed for the abolition of the slave trade, shall be captured or seized as prize of war, or as forfeited or liable to forfeiture to his majesty, or otherwise proceeded against in and by virtue of any law, and brought to adjudication in the high court of admiralty, or in any court of vice admiralty, or in any court in his majesty's colonies or plantations, or elsewhere within his majesty's dominions, which is or may be authorized to hold jurisdiction in such cases, it shall be lawful for the person or persons claiming any right or property in, or the possession of, such slaves, and he is hereby required to put such slaves on shore; and it shall be lawful for the collector or other chief officer of the customs in such port or place in which such slaves shall be brought to adjudication, and he is hereby required, to direct enquiry to be made; whether the persons or persons claiming any right or property in or the possession of such slaves, shall have furnished, or shall be willing and able to furnish, sufficient food and necessaries for the support and wholesome maintenance of the said slaves during the proceedings which may have been or may be instituted respecting such slaves; and such collector or other chief officer of the customs shall, as soon as may be, report to the governor or lieutenant governor, or other person exercising the authority of governor in such colony or plantation, or place, the result of such enquiry; and if it shall appear to the said governor or lieutenant governor, or other person exercising the authority of governor, that sufficient food and necessaries for the wholesome maintenance of such slaves during the proceedings so instituted, or to be instituted, as aforesaid, have not been furnished; and if the persons or persons claiming

any right or property in or to such slaves shall refuse or afterwards neglect or omit to supply proper food and necessaries for the support and wholesome maintenance of the said slaves during such proceedings, the said governor or lieutenant governor, or other person exercising the authority of governor, in such colony or plantation, or place, being satisfied of the truth of the report so made to him, shall authorize the said collector or chief officer of the customs to take on himself the immediate care and custody of such slaves, and to provide proper food and necessaries for such slaves during the proceedings so instituted or to be instituted in any such court as aforesaid; until the said court shall have made its decree, have the force and effect of a definitive sentence, condemning or restoring the said slaves; and in case the said court shall by such decree absolutely restore or condemn such slaves, the said court shall, on application made to him by the said collector or chief officer of the customs, so providing or having provided for the support and maintenance of such slaves as aforesaid, direct the accounts for the provisions and necessaries so supplied for the said slaves, to be brought into the registry of the court and examined, and direct the same, when confirmed, to be a charge on the said slaves, to be defrayed by the person receiving possession thereof under the decree of such court."

Clause 2.—"That in case the court shall not immediately restore or condemn the said slaves, by decree having the force and effect of a definitive sentence, but shall direct further proof to be made in the cause, whereby the restitution or condemnation shall be deferred, and the person claiming any right or property in or the possession of the said slaves, shall not have supplied, or at any time pending proceedings in that court shall refuse or neglect to supply, proper food and necessaries for the said slaves, it shall be lawful for the court to direct a valuation to be made of such slaves, and to decree such slaves, after such valuation had and approved by the court, to be delivered over to such officer or person as may be appointed by his majesty to receive slaves condemned to his majesty's use, according to the provisions of an act passed in the forty seventh year of his majesty's reign, intituled *An act for the abolition of the slave trade*; and the same shall be dealt with and treated in all respects according to the provisions of the said act; save and except that the bounty shall not be due or payable for such slaves but in the event of final condemnation according to the provisions of the said act."

If antislavery
not furnished
slaves delivered
up.

47 G. 3, sec.
1, c. 36
Exception.

Clause

Restitution
made for
slaves.

27 Geo. 3, sess.
1, c. 36, s. 8.

Clause 3.—"That if on further proof the slaves shall be decreed to be restored; and there be no appeal, and the said slaves shall have been delivered over as above directed, restitution shall be made in the value of the said slaves, according to the valuation as above directed, together with interest thereon, such sums being deducted therefrom as may have been expended for the support and maintenance of the said slaves, by the collector or chief officer of the customs, as before directed, and shall remain unpaid; and the value, so adjusted, shall be paid by the treasurer of the navy, in the same manner as bounties are now paid for slaves condemned to his majesty's use, under the aforesaid act, passed in the forty-seventh year of his majesty's reign, on the production of the official copy of the sentence of restitution, with the valuation endorsed thereon by the registrar of the said court, or his deputy."

Restitution in
value made
with interest,
and paid as
bounties.

27 Geo. 3, sess.
1, c. 36, s. 8.

Exception.

Clause 4.—"That in all cases in which there shall have been a decree, having the force and effect of a definitive sentence, restoring or condemning the said slaves, and the same shall be suspended by appeal, it shall be lawful for the court, notwithstanding such appeal, and it is hereby required, to proceed forthwith to direct the slaves so detained, to be valued as above directed; and after such valuation, had and approved by the court, to be delivered over to such officer or person as may be appointed to receive slaves condemned to his majesty's use, according to the provisions of the aforesaid act, passed in the forty-seventh year of his majesty's reign, as if the same had been finally condemned to his majesty; and such slaves shall be treated and dealt with, in all respects, in the same manner as if they had been finally condemned to his majesty; save and except that the bounties shall not be due or payable thereon, but in the event of final condemnation to his majesty, according to the provisions of the said act."

In cases of ap-
peal, restita-
tion made
when pro-
perty restor-
ed.

27 Geo. 3, sess.
1, c. 36, s. 8.

Clause 5.—"That in all cases in which such slaves shall be finally restored in the court of appeal, restitution in value shall be made, for the use of the claimant or proprietor thereof, according to the valuation made as above directed, subject always to revision, in the court of appeal, together with interest thereon, such sums being deducted therefrom as may have been expended for the support and maintenance of the said slaves, by the collector or chief officer of the customs, as above directed; and the value so adjusted, shall be paid by the treasurer of the navy, in the same manner as bounties are directed to be paid for slaves condemned to his majesty, under the aforesaid act, passed in the forty-seventh year of his majesty's reign, on the production of an official copy of the

the final sentence of restitution, with the valuation of the said slaves endorsed thereon by the registrar of the said court or his deputy."

Clause 6.—"That nothing herein contained shall extend to prevent the said courts, or any of them, having jurisdiction in the principal cause, from adjudging and decreeing the captors, seizors, or prosecutors in any such cause as aforesaid, to pay out of their own proper monies, in addition to the restitution in value directed to be made as aforesaid, such further sums in the nature of costs or damages, as the said court shall decree, where it shall appear to such court, that the capture, seizure, or prosecution, or the appeal thereon, on the behalf of the captor, seizor, or prosecutor, shall not be justified by the circumstances of the case."

Captors liable to costs and damages notwithstanding restitution.

Clause 7.—"That the provisions of the said act, passed in the forty-seventh year of his present majesty's reign, for the disposal of slaves condemned to his majesty's use, and for the payment of bounty thereon, in cases of capture by ships of war or privateers, shall be applied to all cases of slaves captured or seized and condemned as prize of war, during the last war, or that may hereafter be captured, seized, or condemned, as aforesaid, or otherwise forfeited, or liable to forfeiture, to his majesty, or subject to condemnation, by any law whatsoever."

Provisions of 47 Geo. 3, sess. 1, c. 36. extended to act.

ANNO 58^o GEORGII III. CAP. 49.

Enacts, Clause 1.—"Whereas divers persons have, contrary to law, imported into certain of his majesty's possessions, on the continent of South America, certain negro slaves from other possessions of his majesty: And whereas it is expedient that all persons who have been concerned in advising, authorizing, or making, such importations, of negro slaves, as aforesaid, contrary to law, should be indemnified, inasmuch as such importations have been made under a belief that they were authorized by law; That the said importations be and be deemed valid and of due force in law; and that all personal actions and suits, indictments, informations, and all prosecutions, and proceedings whatsoever, which have been or shall be hereafter prosecuted or commenced against any person or persons for having advised, authorized, or made, any such importation, at any time before the passing of this act, be, are, and shall be, discharged and made void, by virtue of this act; and that if any action or suit shall be prosecuted or commenced against any person or persons, for or by reason of any such importation, he, she, or they, may plead the general issue, and give this act and the special matter in evidence; and if the plain-

Certain importations of slaves rendered valid, and prosecutions nullified.

General issue in such actions.

tiff

ABOLITION ACTS

an, or plaintiffs, in any action, or suit, so to be prosecuted or commenced in that part of the united kingdom called England, or that part called Ireland, or in any of his majesty's possessions on the continent of South America or in the West-India Islands, shall become nonsuit, or forbear further prosecution, or suffer discontinuance, or if a verdict shall pass against such plaintiff, or plaintiffs, the defendant or defendants, shall recover his, her, or their, double costs; for which he, she, or they, shall have the like remedy, as in cases where the costs by law are given to the defendants; and if any such action or suit as aforesaid shall be commenced or prosecuted in the part of Great-Britain called Scotland, the court before which such action or suit shall be commenced or prosecuted shall allow to the defender the benefit of the discharge and indemnity thereby provided, and shall further allow him his double costs of suit in all such cases as aforesaid."

Double costs.

Actions in Scotland.

Double costs.

Clause 2.—" That if any action or suit hath been already commenced against any person, or persons, for any such importation, it shall and may be lawful for the defendant, or defenders, in such action or suit respectively, in whatever court of the united kingdom of Great-Britain and Ireland, or in any of his majesty's possessions on the continent of South America, or in the West-India islands, such action or suit shall have been commenced, to apply to such court or courts respectively, to stay all proceedings thereon respectively, by motion, in a summary way, and such court, or courts, are hereby required to make order for that purpose accordingly; and the court or courts making such order shall allow and award to the defendant or defenders, respectively, double costs of suit, for which they shall respectively have the like remedy as in cases where the costs are by law given to the defendant or defenders."

Proceedings where suits have been commenced to be stayed.

Double costs.

Clause 3.—" ~~And whereas~~, it has been represented that there is in the Bahama Islands, and on certain estates in the island of Dominica, a considerable quantity of the land which, from length of cultivation has become exhausted: ~~And whereas~~ it has in consequence become impossible for the proprietors of such land to find profitable employment and subsistence for the negro slaves who are their property, and have hitherto been supported by cultivating the said land: ~~And whereas~~, it might tend to ameliorate the condition of the said negro slaves, if they could by law be transported to certain of his majesty's possessions, on the continent of South America, to which, by law, they cannot now be transported; ~~Be it enacted~~, That from and after the passing of this act, it shall and

and may be lawful for his majesty, by and with the advice of his privy council, to grant licences for the transportation of such slaves from any of the said islands, to any of the said possessions, on the continent of South America, under certain regulations and restrictions, to be hereinafter provided: **Provided always**, that no such licence shall be granted unless upon a representation to his majesty's most honourable privy council, from the proprietor of such negro slaves, who shall be required to produce satisfactory proof that the said slaves may be so transported without disadvantage to themselves, and unless he shall enter into bond to remove the said negro slaves in families."

Slaves may be transported from the Bahamas and Dominica to South America, with licence.

Clause 4.—"That it shall and may be lawful for his majesty, by and with the advice of his privy council, to make such further rules and regulations, with respect to the transport and destination of any such negroes, with such penalties and forfeitures for the breach thereof, as shall seem fit and necessary to his majesty, by and with the advice aforesaid."

His majesty in council, may make further rules and orders.

Clause 5.—"That it shall not be lawful for any person or persons to embark, ship, export, or carry upon the sea, any slave or slaves from any such settlement or territory, now belonging to, or under the dominion, or in the possession of his majesty, on the continent of South America, to any other country, island, territory, or place whatever, whether under the dominion of his majesty, or of any foreign sovereign, state, or power; any thing in the said recited acts, or either of them, or in any other act or acts of parliament to the contrary notwithstanding: **Provided also**, That nothing hereinbefore contained shall extend, or be construed to extend, to prohibit or prevent the embarking, shipping, exporting, or carrying by sea, any slave or slaves from any such settlement or territory of or belonging to, or under the dominion, or in the possession of his majesty, on the continent of South America, to any other settlement or territory now belonging to, or under the dominion, or in the possession of his majesty, on the said continent of South America, so as that such slaves are embarked, shipped, and so carried by sea, under and subject, and according to all the restrictions, regulations, penalties, and forfeitures, in the said recited acts or either of them contained, in relation to the carrying of slaves from one island, colony, or plantation, belonging to his majesty, to any other island, colony, or plantation belonging to his majesty: **Provided also**, That nothing hereinbefore contained shall prevent, or be construed to prevent, any slave from being employed either in navigation, fishing, or any other his ordinary bu-

Regulations as to the conveyance of slaves from one settlement to another by sea.

Proviso for employing slaves in navigation, fishing, &c.

and for do-
mestic ser-
vice.

business or occupation upon the seas, in the same manner as slaves may now be employed in any British West-India island, in numbers not exceeding in any one boat or vessel those usually employed in navigating such vessels or boats: ~~Provided also, That~~ nothing hereinbefore contained shall extend, or be construed to extend, to prevent any slave who shall be really and truly the domestic servant of any person residing or being in any such settlement or territory, now belonging to, or under the dominion, or in the possession of his majesty, as aforesaid, from attending his or her owner, or master or mistress, or any part of his or her family, by sea, to any place whatever, in the same manner, and under the same regulations as are prescribed by any of the said recited acts as to slaves attending their masters from any British West-India island."

ANNO 58^o GEORGE III. CAP. 98.

Offences de-
clared by 51
Geo. III. cap.
33, to be felo-
nies or mis-
demeanors by
sea, may be
tried under
any commis-
sion issued ac-
cording to the
directions of
46 Geo. III.
cap. 54.

Enacted, *Clause 1.*—"That all offences declared by the said act of the fifty-first year of his majesty's reign, to be felonies or misdemeanors, committed, or which shall be committed, on the high seas, or in any port, sea, creek, or place, where the admiral has jurisdiction, may be inquired of, tried, and determined, under and by virtue of any commission already issued, or hereafter to be issued, according to the directions of the above recited acts of the forty-sixth year of his majesty's reign; and that all persons convicted of any of the said offences so inquired of, tried and determined, or to be inquired of, tried and determined, under and by virtue of any such commission-made, or issued or to be made, or issued according to the directions of the said act of the forty-sixth year of his majesty's reign, shall be subject and liable to, and shall suffer all such and the same pains, penalties, and forfeitures, as by any law or laws now in force, persons convicted of the same respectively, would be subject and liable to, in case the same were respectively inquired of, tried and determined, and adjudged, within this realm, by virtue of any commission, made according to the directions of the statute of the twenty-eighth year of the reign of king Henry the eighth; any law, statute, or usage, to the contrary notwithstanding."*

ANNO

* By the Act of Parliament, 46 Geo. III. cap. 54, "All treasons, piracies, felonies, robberies, murders, conspiracies, and other offences of what nature or kind soever, committed upon the sea, or in any haven, river, creek, or place, where the admiral or admirals have power, authority, or jurisdiction, may be inquired of, tried, heard, determined, and adjudged, according to the common course of the laws of this realm used for offences committed upon the land within this realm, and not otherwise, in any of his majesty's islands, plantations, colonies, dominions, forts, or factories, under and by virtue of the king's commission or commissions, under the great seal of Great-Britain, to be directed to any such four or more discreet persons as the lord chancellor of Great-Britain, lord keeper, or commissioners for the custody of the great seal of Great-Britain for the time being, shall, from time to time, think fit to appoint; and that the said commissioners, so to be appointed, or any three of them, shall have such and the like powers and authorities for the trial of all such murders, treasons, piracies, felonies, robberies, conspiracies, and other offences, within any such island, plantation, colony, dominion, fort, or

ANNO 59° GEORGII III. CAP. 120.

Enacts, Clause 1.—"That it shall and may be lawful for his majesty to nominate and appoint, by warrant under the hand and seal of one of his majesty's principal secretaries of state, some fit and proper person as the registrar of colonial slaves, to receive the copies of all registries or returns of slaves, and of any abstracts or indexes referring thereto, which may have been, or which may at any time hereafter be transmitted from any of his majesty's foreign possessions, either in pursuance of any order of his majesty in council, or of any law or ordinance duly passed in any of the said colonies respectively; which said registrar, and his successors respectively, shall continue to hold the said office during his majesty's pleasure."

Registrar of slaves to be appointed, during his majesty's pleasure.

Clause 2.—"That the commissioners of his majesty's treasury of the united kingdom of Great-Britain and Ireland, or any three or more of them, shall assign to the registrar, so appointed, such a salary, not exceeding in the whole the sum of eight hundred pounds *per annum*, as shall appear to them adequate and proper, and shall fix the number of such clerks, officers, or other persons to assist the said registrar, as may from time to time be necessary, and shall allow to them also such salaries as may be proper, and also reasonable sums for incidental charges; all which salaries and charges shall be defrayed and paid in the same manner as the salaries

Salary not to exceed 800*l.* and additional clerks to be appointed with salaries.

factory, as any commissioners appointed, or to be appointed, according to the directions of the said statute of the twenty-eighth year of the reign of king Henry the eighth; by any law or laws now in force, have or would have for the trial of the said offences within this realm; and that all persons convicted of any of the said offences, so to be tried by virtue of any commission to be made according to the directions of this act, shall be subject and liable to, and shall suffer all such and the same pains, penalties, and forfeitures, as by any law or laws now in force, persons convicted of the same respectively would be subject and liable to, in case the same were respectively inquired of, tried, heard, determined, and adjudged, within this realm, by virtue of any commission made according to the directions of the said statute of the twenty-eighth year of the reign of king Henry the eighth; any law, statute, or usage, to the contrary notwithstanding."

An act of this island; 33 Car. 2., cap. 8, for restraining and punishing privateers and pirates, enacts, clause 2.—"That all treasons, felonies, piracies, robberies, murders, or confederacies, committed, or that hereafter shall be committed, upon the sea, or in any haven, creek, or bay, where the admiral hath jurisdiction, shall be enquired, tried, heard, determined, and judged, within this island, in such like form as if such offence had been committed in and upon the land: And, to that end and purpose, commissions shall be had, under the king's great seal of this island, directed to the judge or judges of the admiralty of this island for the time being, and to such other substantial persons, as by his majesty's governor or commander in chief of this island for the time being shall be named or appointed; which said commissioners, or such a quorum of them as by such commission shall be thereunto authorized, shall have full power to do all things in and about the enquiry, hearing, determining, adjudging, and punishing, of any of the crimes and offences aforesaid, as any commissioners, to be appointed by commission, under the great seal of England, by virtue of a statute made in the twenty-eighth year of the reign of king Henry the eighth, are empowered to do and execute within the kingdom of England; and that the said offenders, which are or shall be apprehended in, or brought prisoners to, this island, shall be liable to such order, process, judgments, and execution, by virtue of such commission to be grounded upon this act, as might be awarded or given against them if they were proceeded against within the realm of England, by virtue of any commission grounded upon the said statute."

ABOLITION ACTS

laries and incidental charges of the offices of his majesty's principal secretaries of state are now defrayed and paid."

Commissioners
of treasury
to provide an
office.

Fees to be
carried to the
public ac-
count.

Clause 3.—"That the said commissioners of the treasury, or any three or more of them, shall provide a proper and distinct office for the said registrar, and shall appoint the several fees to be taken by the registrar, or his assistants in the said office, and shall cause a schedule of the same to be delivered to the said registrar at the time of his appointment; which said schedule, or a copy thereof, shall be always kept, and hung for public information, in the office of the said registrar: ~~Provided always~~, That the fees so received by the registrar, or his assistants, shall be carried to the public account, and the residue thereof, if any, after paying the salaries of the registrar, and other persons employed in his office, shall be applied, under the direction of the said commissioners of the treasury, in aid of the expenses of his majesty's civil list."

Registrar to
be sworn.

Clause 4.—"That the person who may be at any time appointed registrar of colonial slaves, shall, before he enters on the execution of his said office, be sworn before the chief justice, or one of the justices of his majesty's courts of king's bench or common pleas, or the chief baron, or one of the barons of his majesty's court of exchequer, in the words following:—

"I A. B. do solemnly promise and swear, that I will, in all respects, faithfully and uprightly perform the duties of registrar of colonial slaves, to the best of my judgment and ability.—"So help me God."

Registrar not
to sit in par-
liament.

Clause 5.—"That any registrar of slaves who may be appointed by virtue of this act, shall, during his continuance in such office, be incapable of being elected, or of sitting as a member of the house of commons."

Registers to
be delivered
to registrar,
who is to cor-
rect, make
indexes, &c.

Clause 6.—"That as soon as the office of registrar of colonial slaves shall be opened, copies and duplicates of the several registries and returns of slaves in the several colonies, and all papers connected therewith, which may have been received by any of his majesty's secretaries of state, shall be delivered over to the said registrar, and shall be by him kept in the said office; and the said registrar shall from time to time carry on, continue, correct, and enlarge, the copies of the several registries of slaves respectively, pursuant to the further returns of slaves, which may from time to time be received from the several colonies; and shall form such indexes and abstracts, and such convenient arrangements in other respects,

respects, as may best promote regularity in keeping the said books, and facilitate search therein."

Clause 7.—"That every such registrar or his clerks or assistants, so to be appointed as aforesaid, shall give due attendance at the said office every day in the week (except Sundays and such holidays as are kept at the bank of England) from the hour of ten in the morning, to the hour of four in the afternoon, for the dispatch of all business belonging to the said office; and that every such registrar or his clerks or assistants shall, as often as required, make searches concerning any slave or slaves that shall be registered or supposed to be registered in any of the said books; and shall also, if required, give certificates under the hand of the said registrar, as to the registration or non-registration of any such slave or slaves, with extracts, when the same is or are found to be registered, of the name and description or names and descriptions thereof, and of the plantation or plantations, owner or owners, to whom the same is or are described to belong, and of any other particulars relating thereto which may be stated in the said registry; and that such registrar shall be entitled to receive for every such search, certificate or extract, such sums as shall be duly appointed in the schedule of fees to be fixed by the said commissioners of the treasury, as is herein-before provided for."

Registrar to attend his office, make searches, give certificates, &c.

Clause 8.—"That from and after the first day of January, one thousand eight hundred and twenty, it shall not be lawful for any of his majesty's subjects in this united kingdom, to purchase or to lend, or advance, any money, goods, or effects, upon the security of any slave or slaves, in any of his majesty's colonies or foreign possessions, unless such slave or slaves, shall appear, by the return received therein, to have been first duly registered in the said office of the registrar of colonial slaves; and that every sale, mortgage, and conveyance, or assurance of, and every charge or other security upon any slave or slaves not so appearing to be so registered, which at any time, or times, after the said first day of January, one thousand eight hundred and twenty, shall be made or executed within this united kingdom, to, or in trust for, any of his majesty's subjects, shall be absolutely null and void, in respect of any such unregistered slave or slaves, and that for this purpose, no slave or slaves, shall be deemed and taken to be duly registered, unless it shall appear that a return of such slave or slaves, duly made by the owner or owners, or other persons, in his, or their behalf, in the manner and form required by law, in the colony in which such slave or slaves may reside, or a copy, or abstract of such return, shall have been received in the office of the said registrar, from the colony

From January 1820, not lawful to purchase, contract for, or lend money on, slaves unless registered.

colony in which such slave or slaves shall reside, within the four years next preceding the date of such sale, mortgage, conveyance, or assurance, charge, or security, as aforesaid.

From January 1820, no deed for slaves valid unless they are registered.

Clerical errors not to impeach deeds.

Nothing herein to impeach any antecedent deed, or any will, &c.

Clause 9.—“That from and after the said first day of January, one thousand eight hundred, and twenty, no deed or instrument, made or executed within this united kingdom, whereby any slave or slaves in any of the said colonies, shall be intended to be mortgaged, sold, charged, or in any manner transferred or conveyed, or any estate or interest therein created or raised, shall be good or valid in law, to pass or convey, charge or affect, any such slave or slaves, unless the registered name and description, or names and descriptions of such slave or slaves, shall be duly set forth in such deed or instrument, or in some schedule thereupon indorsed, or thereto annexed, according to the then latest registration or corrected registration of such slave or slaves, in the said office of the registrar of slaves: *Provided always,* That no deed or instrument shall be avoided or impeached by reason of a clerical error, in setting forth the names and descriptions of any slave or slaves therein, or in any schedule thereto contained, nor shall the same be avoided or impeached by reason of any disagreement between the names and descriptions, and the entries thereof, in the books of registry or duplicate registry, which shall have arisen from any error or default of the registrar, his assistants or clerks, in extracting and certifying the said names and descriptions, without the fraudulent contrivance or wilful default of the parties to such deed or instrument: *Provided also,* That nothing herein contained shall extend to, or be construed to hinder or prevent the transfer or assignment of any security, mortgage, or charge of slaves, granted, made, or executed antecedently to the passing of this act, nor to avoid any deed or instrument, whereby such security, mortgage, or charge, shall be hereafter transferred, nor to avoid, hinder, or impeach, any will, codicil, or other testamentary paper, or any probate or letters of administration, or any bill of sale, assignment, conveyance or instrument, made by or under the authority of any commission of bankrupt, or any public officer appointed to assign or convey, any insolvent's estate and effects, or by, or under, the authority of any court of justice, or any officer thereof, or in the execution of any legal process, by reason that the registered names and descriptions of any slaves are not set forth in such deed, will, codicil, testamentary paper, probate, letters of administration, bill of sale, assignment, conveyance, or instrument.”

Clause 10.—“That the issue of any slave or slaves named or described in any deed or instrument executed in the united kingdom, or any schedule thereto, born after the return required by law, in
the

The colony in which such slave or slaves may be resident, who shall afterwards be duly registered, in the next return required by law, in the said colony, shall be deemed and considered to pass, and be conveyed and affected as registered slaves, by such deed or instrument as effectually, to all intents and purposes, as if such issue were therein named and described; any thing in this act contained to the contrary notwithstanding."

Clause 11.—"That wherever any slave or slaves shall be sent from any colony now or hereafter under the dominion of his majesty, his heirs or successors, with intent that such slave or slaves shall be removed to, and remain in, some other colony under the dominion of his majesty, his heirs or successors, the owner or owners, or other person or persons sending any such slave or slaves, shall produce to the collector, or other principal officer of his majesty's customs, at the port at which any such slave or slaves shall be shipped or embarked, a copy duly certified by the registrar of the said colony, of the name and description, or names and descriptions by which such slave or slaves has or have been registered, and of all other particulars relating thereto, stated in the said registry; which copy, so certified, shall be by such collector or other principal officer, indorsed with his own name and hand-writing, and shall be annexed to the clearance or permit to be given for the shipment and exportation of such slave or slaves, and shall, on the arrival of such ship or vessel, in which such slave or slaves shall be sent, at the port in any other British colony to which the same shall be destined, be produced; also to the collector or principal officer of the customs, at such last-mentioned port, who shall examine the same, and shall also ascertain, by personal inspection, whether the slave or slaves brought by such ship or vessel, agree in description with the slave or slaves mentioned in such certificate or clearance, and if not, shall refuse to admit the same to an entry; but in case of such agreement, shall indorse such certificate with his name and hand-writing; and the said certificate, so indorsed, shall be forthwith delivered by the collector to the registrar of slaves in such last-mentioned colony."

Transfers of slaves from one British colony to another registered.

Clause 12.—"That if any slave or slaves shall be exported, sent, carried, or conveyed, from any colony under the dominion of his majesty, his heirs or successors, without such certified copy from the registrar of the colony from which the same shall be so exported, sent, carried, or conveyed, such slave or slaves, with the ship or vessel in which the same shall be so exported, sent, carried, or conveyed, shall be forfeited, and shall and may be seized as forfeited, and prosecuted, condemned, and dealt with in all respects, as if such slave or slaves had been brought from, or destined

Penalties for exporting slaves without a certificate.

Proviso for domestic slaves and mariners.

Certificates to be produced for domestic slaves, which are to be delivered back.

destined to, any foreign colony or place, contrary to the act, passed in the forty-seventh year of his majesty's reign, intituled, "*An act for the abolition of the slave trade*;" **Prohibited always**, That nothing herein contained, shall prevent, or be construed to prevent, the embarkation or passage from one British colony to another, or to any other colony or place, in such manner as is now permitted by law, of any domestic slave or slaves, in actual attendance on the person of his, her, or their, master or mistress, or any part of the family of such master or mistress, being a passenger or passengers in the same ship or vessel, or of any slave or slaves employed as a mariner or mariners on board of any such ship or vessel, but in addition to all clearances and certificates now required by law, it shall be necessary in all such cases, after the first day of January one thousand eight hundred and twenty, for the master or owner of any such domestic slave or slaves, or mariner or mariners, to obtain from the registry of the colony to which the same shall belong, an extract, certified by the registrar thereof, showing that such domestic slave or slaves, or that such slave or slaves employed as a mariner or mariners, has or have been duly entered in the slave registry of the said colony, by their name and description, or names and descriptions therein specified, which extract and certificate shall be always on board the ship or vessel in which any such domestic or mariner is carried or employed; and unless such extract and certificate of registration shall be found on board, any such slave or slaves, so carried or employed, after the time aforesaid, shall be forfeited, and shall and may be seized as forfeited, and prosecuted, condemned, and dealt with, as aforesaid: **Prohibited always**, That if any domestic slave or slaves, in actual attendance upon the person of his, her, or their, master or mistress, or any part of the family of such master or mistress, shall be brought into, or landed in, any British colony, the extract and certificate of his, her, or their, registration in the colony from which he, she, or they, may have come, shall be forthwith produced to the collector or principal officer of the customs, and a copy thereof shall be by him delivered to the registrar of slaves in the colony into which he, she, or they, may be brought; and if the said domestic slave or slaves shall be again removed from the colony into which they may have been so brought, previous to the next period for making returns of slaves therein, the collector shall, previous to the embarkation of such domestic slave or slaves, return to the party requiring it, the original extract and certificate of registration delivered into his office, to be kept on board the ship or vessel in which such domestic slave or slaves may be carried."

THE END,

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**DOES NOT
CIRCULATE**



